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ACTS

AND

JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED AT THE

REGULAR SESSION OF 1892.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY AND DESIGNED TO FORM A PART OF THE TWENTY-FIRST VOLUME OF THE STATUTES AT LARGE, COMMENCING WITH THE ACTS OF THE REGULAR SESSION OF 1892.

COLUMBIA, S. C.
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1892.

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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

Passed at the Regular Session which was begun and held at the City of Columbia on the Twenty-Second Day of November, A. D. 1892, and was adjourned without day on the Twenty-Fourth Day of December, A. D. 1892.

BENJAMIN R. TILLMAN, Governor. EUGENE B. GARY, Lieutenant-Governor and *ex officio* President of the Senate. IRA B. JONES, Speaker of the House of Representatives. SAMPSON POPE, Clerk of the Senate. J. WALTER GRAY, Clerk of the House of Representatives.

PART I.

General Laws and Joint Resolutions.

AN ACT TO CONSTITUTE A BATTALION TO BE KNOWN AS THE NAVAL BATTALION OF VOLUNTEER TROOPS OF SOUTH CAROLINA.

A. D. 1892.

No. 1.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be allowed, in addition to the companies of the Volunteer Troops of the State of South Carolina as now provided by law, not more than four companies of Naval Militia, which shall constitute a battalion, to be known as the Naval Battalion of the Volunteer Troops of South Carolina.

Naval Battalion constituted.

A. D. 1892.

Officers, and their rank and pay.

SEC. 2. The officers of this battalion shall consist of a Lieutenant Commander, who shall be appointed by the Governor, and whose rank and pay shall assimilate to that of a Major of infantry, and a staff, to consist of one Adjutant, one Ordnance Officer, one Paymaster, who shall be the mustering officer, and one Surgeon, each with the rank of First Lieutenant. They shall be paid the same as battalion staffs in the Volunteer Troops.

Petty officers.

There shall also be attached to the staff the following petty officers: One Master-at-Arms, two Yeomen, one Hospital Steward, one Chief Bugler, who shall receive the same pay as the non-commissioned staff of a battalion of infantry.

Company officers.

SEC. 3. To each company there shall be one Lieutenant Commanding, two Second Lieutenants, two Ensigns, to receive the same pay as Captain, First and Second Lieutenants, respectively, of infantry; two Boatswain's Mates, two Gunner's Mates, two

Pay of enlisted men.

Coxswains, two Quartermasters, and forty-four seamen. All enlisted men of companies shall receive the pay of enlisted men of companies of infantry of the Volunteer Troops.

Uniform.

SEC. 4. The Naval Battalion shall be uniformed as the Commander-in-Chief shall direct, out of any appropriations for uni-

Instructions and regulations.

forms or supplies for the Volunteer Troops or Naval Militia, and shall be instructed as he may direct, and be subject to the laws and regulations governing the Volunteer Troops. The

Duty afloat.

duty required by law may be performed afloat.

Approved December 15th, A. D. 1892.

No. 2. AN ACT RELATING TO THE LANDSFORD CANAL ON CATAWBA RIVER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

Grant of right and title.

General Assembly, and by the authority of the same, That all the rights, title and interest of the State of South Carolina, if any there be, in the canal known as the Landsford Canal, on the West side of the Catawba River, in the County of Chester, with all the appurtenances thereto, be, and the same is hereby, granted and

Grantee.

ceded to and vested in William A. Courtenay, the owner of the land on both sides of and adjacent to the said canal, his heirs

and assigns forever: *Provided,* Operations are commenced and the sum of fifty thousand ($50,000) dollars expended towards utilizing the water power of the said canal for manufacturing or other purposes within five years from the approval of this Act. A. D. 1892. Proviso.

SEC. 2. That this Act shall take effect from and immediately after the date of its approval. When to take effect.

Approved December 15th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO CEDE AND VEST IN MRS. SUSAN A. BOYLSTON ALL THE RIGHT, TITLE AND INTEREST OF THE STATE IN THE PORTION OF THE CANAL ON CATAWBA RIVER WHICH LIES WITHIN THE BOUNDARIES OF THE LAND OF THE SAID SUSAN A. BOYLSTON, IN CHESTER COUNTY,' APPROVED 31ST OF JANUARY, 1882,' APPROVED 26TH DECEMBER, 1884," APPROVED 23RD OF DECEMBER, 1887. No. 3.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend 'An Act to amend an Act entitled 'An Act to cede and vest in Mrs. Susan A. Boylston all the right, title and interest of the State in that portion of the canal on Catawba River which lies within the boundaries of the land of the said Susan A. Boylston, in Chester County,' approved 31st January, 1882,' approved December 26th, A. D. 1884," approved December 23rd, A. D. 1887, be, and the same is hereby, amended, by extending the time therein limited for five additional years. A. A. 1887, 19 Stat., 995, amended. Time extended.

Approved December 15th, A. D. 1892.

AN ACT TO PREVENT CRUELTY TO CHILDREN AND TO PROVIDE FOR THE PUNISHMENT OF THE SAME. No. 4.

SECTION 1. *Be it enacted* by the Senate and House of Repre-

A. D. 1892.

sentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whoever tortures, torments, cruelly ill treats, or whoever deprives of necessary sustenance or shelter, or whoever inflicts unnecessary pain or suffering, upon any child, or whosoever causes the same to be done, whether such person be the parent or guardian of such child, or have charge or custody of the same, shall for every such offense be deemed guilty of a misdemeanor, and be punished by imprisonment in jail not exceeding thirty (30) days, or by fine not exceeding one hundred ($100) dollars.

Offense defined.

Punishment.

Gen. Stat., Ch. LII, made applicable.

SEC. 2. That all the provisions of Chapter LII of the General Statutes in reference to the prevention of cruelty to animals be extended to the enforcement of this Act.

Approved December 15th, A. D. 1892.

No. 5. AN ACT TO REQUIRE THE CIRCUIT JUDGES TO GIVE NOTICE TO THE CHIEF JUSTICE OF THEIR INABILITY FROM SICKNESS OR OTHER CAUSE TO HOLD ANY COURT TO WHICH THEY HAVE BEEN ASSIGNED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be the duty of each Circuit Judge, when disabled, by sickness or other cause, to hold any Court to which he may be assigned, to give, or cause to be given, prompt notice of such inability or disability to the Chief Justice, so that his place may be temporarily filled and the Court held according to law.

The Chief Justice to be notified.

Place to be filled. See G. S., § 2123.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 15th, A. D. 1892.

No. 6. AN ACT TO REQUIRE ALL STATE INSTITUTIONS OF HIGHER LEARNING TO REPORT ANNUALLY TO THE STATE SUPERINTENDENT OF EDUCATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be the duty of the authorities of all State institutions of higher learning, in addition to the annual report required by law to be made to the General Assembly, to make an annual report, on or before the first day of September, to the State Superintendent of Education, embracing a detailed account of the operations of such institutions, including the expenditure of the public moneys for the current scholastic year, which reports, or so much thereof as the State Superintendent of Education may deem proper, shall be included in his Annual Report to the Legislature. A. D. 1892. Annual Report to State Superintendent Education. May be reported to the Legislature.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 15th, A. D. 1892.

A JOINT RESOLUTION TO APPROPRIATE THE SUM OF EIGHT HUNDRED DOLLARS, IF SO MUCH BE NECESSARY, TO COMPLETE THE CONFEDERATE ROLLS. No. 7.

SECTION 1. Be *it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of eight hundred dollars be, and the said sum is hereby, appropriated, if so much be necessary, for the completion of the Confederate Rolls, which sum, or so much thereof as may be necessary, shall be paid by the State Treasurer out of any funds not otherwise appropriated on the order of the Adjutant-General and warrant thereon of the Comptroller-General. Appropriation. How paid.

Approved December 15th, A. D. 1892.

A JOINT RESOLUTION TO PROVIDE FOR REPAIRING OR REPLACING THE TOMB OF GENERAL FRANCIS MARION, IN BERKELEY COUNTY. No. 8.

Whereas the marble slab upon the tomb of General Francis Marion, in Berkeley County, has been broken and the tomb is Preamble.

A. D. 1892.

sadly in need of repairs: *And, whereas,* It is becoming and proper that the place of burial of the distinguished soldier should be marked by an appropriate tomb, suitably inscribed, and that the broken slab should be preserved:

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Appropriation of $600.

sum of six hundred dollars, if so much be necessary, be, and the same is hereby, appropriated for the repairing or replacing the tomb of General Francis Marion, and suitably inscribing same, in Berkeley County, where the remains are buried.

How paid.

SEC. 2. That the Comptroller-General be, and is hereby, authorized and required to draw his warrant upon the State Treasurer, when so directed by the Governor of the State, in favor of such person or persons who shall contract to do such work, for such sum or sums, not exceeding the said sum of six hundred dollars, as may be due to said persons under contract with the Governor as aforesaid.

Governor to make contract.

SEC. 3. That the Governor of the State is hereby authorized and required to call for bids for the repairs or replacing of said tomb and to contract for the same: *Provided,* The cost shall not

Limit.

exceed the sum of six hundred dollars.

Approved December 19th, A. D. 1892.

No. 9. A JOINT RESOLUTION TO PROVIDE FOR THE CALLING OF A CONSTITUTIONAL CONVENTION.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

The call submitted to electors.

question of calling a Constitutional Convention of the people of South Carolina be submitted to the qualified electors of said State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly, voting on said question, vote in favor of such Convention, it shall be the

Time, place and manner.

duty of the General Assembly, at their next session, to designate the time and place and to prescribe the manner of holding said Convention.

Mode of submission.

SEC. 2. That the question of calling said Constitutional Convention shall be submitted to said qualified electors in the follow-

ing manner: Those in favor of a Constitutional Convention shall deposit a ballot with the following words plainly written or printed thereon, to wit: "Constitutional Convention—Yes." Those opposed to calling said Convention shall deposit a ballot with the following words plainly written or printed thereon, to wit: "Constitutional Convention—No." A. D. 1892. Form of ballots.

Approved December 19th, A. D. 1892.

AN ACT REGULATING CHATTEL MORTGAGES AND THE PAYMENT AND SATISFACTION THEREOF. No. 10.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the mortgagor of any chattel shall have the right to redeem the property mortgaged by him at any time before sale by the mortgagee by paying the mortgage debt and any costs incurred in attempting to enforce its payment, and a tender made by the mortgagor of an amount sufficient to pay said debt and costs, if not accepted, shall render the mortgage null and void. Right of redemption. Amount of tender. Discharge of mortgage.

Approved December 19th, A. D. 1892.

AN ACT TO REGULATE THE COMPENSATION OF SHERIFFS FOR CONVEYING LUNATICS TO THE ASYLUM. No. 11.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act Sheriffs shall be allowed two dollars per day and actual necessarily incurred expenses for conveying lunatics to the Asylum: *Provided however,* The Sheriff may in extreme cases call in not more than two assistants or deputies, and be allowed compensation therefor at one dollar per day and actual additional expenses necessarily incurred. Compensation. Deputies.

SEC. 2. That said fees and expenses shall be paid by the County Commissioners as other fees of Sheriffs and Constables are now paid. How paid.

A. D. 1892.

Repealing clause.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 19th, A. D. 1892.

No. 12. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO LIMIT THE SCHOOL AGES OF PUPILS ATTENDING THE FREE PUBLIC SCHOOLS,' APPROVED DECEMBER 22ND, 1883," APPROVED DECEMBER 26TH, A. D. 1885.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to limit the ages of pupils attending the free public schools,' approved December 22nd, 1883," approved December 26th, 1885, be, and the same is hereby, amended by striking out the word "eighteen" in the third line of said Section and inserting in lieu thereof the words "twenty-one," and by adding to said Section after the words "public schools" in the same line the words "of this State." So that said Section when amended shall read as follows:

A. A. 1885, § 1, 19 Stat., 377, amended.

Age extended.

Section as amended.

SECTION 1. That from and after the passage of this Act it shall not be lawful for any person who is less than six or more than twenty-one years of age to attend any of the free public schools of this State.

Approved December 19th, A. D. 1892.

No. 13. AN ACT TO AMEND TITLE XII, CHAPTER XL, OF RAILROAD CORPORATIONS AND GENERAL RAILROAD LAW, AND TO PROVIDE FOR THE REGULATION OF RAILROAD FREIGHT AND PASSENGER TARIFFS IN THIS STATE, TO PREVENT UNJUST DISCRIMINATION AND EXTORTION IN THE RATES CHARGED FOR TRANSPORTATION OF PASSENGERS AND FREIGHTS, AND TO PROHIBIT RAILROAD COMPANIES AND CORPORATIONS AND LESSEES IN THIS STATE FROM CHARGING OTHER THAN JUST AND REASONABLE RATES, AND TO PUNISH THE SAME, AND PRESCRIBE A MODE OF PROCEDURE AND RULES OF EVIDENCE IN RELATION THERETO, PROVIDING FOR THE ELECTION OF RAILROAD COMMISSIONERS, AND TO PRESCRIBE THEIR POWERS AND DUTIES IN RELATION TO THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Rep-

A. D. 1892.

resentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be three Railroad Commissioners elected in accordance with the provisions hereafter contained; that is to say: They shall be elected by the present General Assembly for the term of two years, beginning with the first day of January, 1893. At the expiration of said terms they shall be succeeded by their successors in office, who shall have been elected at the next general State election. The Commissioners of Election for the several Counties in the State shall at each general election herein provided for conduct the election of the Commissioners as is conducted the election of other State officers other than Governor and Lieutenant-Governor. The term of office of the Commissioners to be elected at the general election of 1894 shall be for two, four and six years, respectively, the term of each Commissioner to be determined by lot, in the presence of the Governor. At the expiration of said terms, respectively, they shall each be succeeded by his successor in office, who shall have been elected at the general election next preceding the date of said expiration. Said Commissioners shall take the oath of office provided by the Constitution and laws of this State for State officers, and shall not, jointly or severally, or in any way, be the holder or holders of any railroad stock or bond. The Governor shall have the power to fill vacancies in the office of Commissioner until the successor in such office for a full term or an unexpired term, as the case may be, shall have been elected at the next ensuing general election and qualified. The salary of each Commissioner shall be twenty-one hundred dollars per annum, to be paid from the Treasury of the State. The expenses of the Commissioners, including salaries, and the salary of their Secretary or Clerk, shall be borne by the several corporations owning or operating railroads in this State according to their gross income proportioned to the number of miles in this State, to be apportioned by the Comptroller-General of the State, who, on or before the first day of October in each and every year, shall assess upon each of said corporations its just proportion of such expenses in proportion to its gross income for the current year ending on the thirtieth day of June preceding that on which the assessment is made; and the said assessment shall be charged up against the said corporations, respectively, under the order and direction of the Comptroller-General, and shall be collected by the several County Treasurers in the manner provided by law for the collection of taxes upon each corporation, and shall be paid by the

Three Commissioners.

Election and term of office.

Subsequent elections.

Terms of office.

Oath and disabilities.

Vacancies.

Salaries.

Assessment on R. R. Co.'s.

Basis of assessment.

When payable.

A. D. 1892.

said County Treasurers as collected into the Treasury of the State, in like manner as other taxes collected by them for the State. The Commissioners and their Secretary shall be transported free of charge, when in the performance of the duties of their office concerning railroads, over all railroads and railroad trains in this State, and they may take with them experts or other agents whose service they may deem to be temporarily of importance, and they shall in like manner be transported free of charge. A majority of said Commissioners shall constitute a quorum for the transaction of all business pertaining to their office. The Commissioners to be elected under the terms of this Act shall be elected from the State at large: *Provided*, That any male citizen of this State above the age of twenty-five years shall be eligible to election to the position of Railroad Commissioner, any law or Act of the Legislature to the contrary notwithstanding.

Free transportation.

Experts and agents.

Quorum.

Eligibility of Commissioners.

Office, &c.

Clerk and his salary.

Location of office.

Payment of expenses.

Limit to expenditures.

SEC. 2. The said Commissioners shall be furnished with an office, necessary furniture and stationery, and may employ a Secretary or Clerk at a salary of twelve hundred dollars per annum at the expense of the State. The office of said Commissioners shall be kept in Columbia, and all sums of money authorized to be paid by this Act out of the State Treasury shall be paid only on the warrant of the Comptroller-General: *Provided*, That the total sum to be expended by said Commissioners for office rent, furniture and stationery shall in no case exceed the sum of five hundred dollars ($500), or so much thereof as may be necessary, per annum.

Charge of unreasonable rates

Declared to be extortion.

Punishment.

SEC. 3. That from and after the passage of this Act, if any railroad corporation organized or doing business in this State under the Act of corporation, or general law of this State now of force, or which may hereafter be enacted, or any railroad corporation organized, or which may hereafter be organized, under the laws of any other State, and doing business in this State, shall charge, collect, demand or receive more than a fair and reasonable rate of toll or compensation for transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its track, or any of its branches, or upon any railroad within this State which it has the right, license or permission to use, operate or control, the same shall be deemed guilty of extortion, and upon conviction thereof shall be fined in a sum not less than one hundred nor more than one thousand dollars.

A. D. 1892.

SEC. 4. That if any railroad corporation, as aforesaid, shall make any unjust discrimination in its rates and charges of toll as compensation for transportation of passengers or freights of any description, or for the use and transportation of any railroad car upon its said road or upon any of the branches thereof, or upon any railroads connected therewith which it has the right, license or permission to operate or control within this State, the same shall be deemed guilty of having violated the provisions of this Act, and upon conviction thereof shall be fined in a sum not less than one hundred nor more than one thousand dollars.

Unjust discrimination prohibited.

Punishment.

SEC. 5. That the Commissioners elected as hereinbefore provided shall, as provided in the next Section of this Act, make reasonable and just rates of freight and passenger tariffs, to be observed by all railroad companies doing business in this State on the railroads therein; they shall make reasonable and just rules and regulations to be observed by all railroad companies doing business in this State, as to charges to any and all points for the necessary hauling and delivery of all freights; shall make such just and reasonable rules and regulations as may be necessary for preventing unjust discrimination in the transportation of freight and passengers on the railroads in this State; shall have the power to make just and reasonable joint rates for all connecting roads doing business in this State, as to all traffic or business passing from one of said roads to another, and to require the making of such connection at intersecting points of the schedules of trains as the public convenience may in their judgment demand: *Provided, however,* That before applying joint rates to roads that are not under the management and control of one and the same company the Commissioners shall give thirty days' notice to said roads of the joint rate contemplated and of its division between said roads, and give hearing to roads desiring to object to the same; shall make reasonable and just rates of charges for use of railroad cars carrying any and all kinds of freight and passengers on said railroad, no matter by whom owned or carried, and shall make just and reasonable rules and regulations to be observed by said railroad companies or railroads, to prevent the giving or paying of any rebate or bonus, directly or indirectly, and from misleading or deceiving the public in any manner as to the real rates charged for freight and passengers: *Provided,* That nothing in this Act shall be taken as in any manner abridging or controlling the rates for freight charged by any railroad company in this State for carrying freight which comes from or goes beyond the boundaries of the State,

Commissioners to make freight and passenger tariffs.

And rules and regulations.

Joint rates.

Connecting schedules.

Notice to be given to companies.

Hearing.

Rates for use of cars.

Rebates and bonuses.

Proviso as to inter-State commerce.

A. D. 1892.

and on which freight less than local rates on any railroad carrying the same are charged by such railroad, but said railroad companies shall possess the same power and right to charge such rates for carrying such freights as they possessed before the passage of this Act; and Commissioners shall have full power, by rules and regulations, to designate and fix the difference in rates of freight and passenger transportation to be allowed for shorter and longer distances on the same or different railroads, and to ascertain what shall be the limit of longer and shorter distances.

Long and short hauls.

R. R. Commissioners to make schedules of rates.

SEC. 6. That the said Railroad Commissioners are hereby authorized and required to make for each of the railroad corporations doing business in this State, as soon as practicable, a schedule of just and reasonable rates of charges for transportation of passengers and freights and cars on each of said railroads, and said schedule shall, in suits brought against any such railroad corporations wherein is involved the charges of any such railroad corporation for the transportation of any passenger or freight or cars, or unjust discrimination in relation thereto, be deemed and taken in all Courts of this State as sufficient evidence that the rates therein fixed are just and reasonable rates of charges for the transportation of passengers and freights and cars upon the railroads; and said Commissioners shall from time to time, and as often as circumstances may require, change and revise said schedule. When any schedule shall have been made or revised it shall be the duty of all such railroad companies to post at all their respective stations, in a conspicuous place, a copy of said schedule for the protection of the people: *Provided*, That the schedules thus prepared shall not be taken as evidence as herein provided until schedules have been prepared and published as aforesaid for all the railroad companies now organized under the laws of this State, or that may be organized at the time of said publication. All such schedules purporting to be printed and published as aforesaid shall be received and held in all such suits as *prima facie* the schedules of said Commissioners without further proof than the production of the schedule desired to be used as evidence, with a certificate of the Railroad Commission that the same is a true copy of the schedule prepared by them for the railroad company or corporation therein named, and that the same has been duly published as required by law: *Provided*, That thirty days' notice of any change or revision of the schedule of rates shall first be given to the railroad company to be affected thereby before the same shall go into effect.

Force of schedule as evidence.

Revision of schedule.

Schedules to be posted.

When to become evidence.

Printed copies as evidence.

Notice of changes.

A. D. 1892.

SEC. 7. That it shall be the duty of said Commissioners when necessary to investigate so much of the books and papers of all the railroad companies doing business in this State as they may think proper, to ascertain if the rules and regulations as aforesaid have been complied with, and to make personal visitations of railroad offices, stations and other places of business for the purpose of examinations, and to make rules and regulations concerning such examinations, which rules and regulations shall be observed and obeyed as other rules and regulations as aforesaid; said Commissioners shall also have full power and authority to examine all agents and employees of said railroad companies and other persons under oath and otherwise, in order to procure the necessary information to make just and reasonable rates of freight and passenger tariffs, and to ascertain if such rules and regulations are observed or violated, and to make necessary and proper rules and regulations concerning such examinations, and which rules and regulations herein provided for shall be obeyed and enforced as all other rules and regulations provided for in this Act. That the powers herein conferred upon the Commissioners to fix passenger and freight rates, joint and several, are hereby delegated to them by the General Assembly, as fully as the General Assembly itself could exercise them; and in arriving at their conclusions and decisions as to what are just and reasonable rates, and in making examinations for such purpose, they shall have the powers conferred in Sections 1465, 1466, 1467 and 1468 of the General Statutes for securing the attendance of witnesses, reports and testimony of officers, agents or employees of railroad companies, and for the production of books and papers; and for violation of the provisions of this Section the same penalties are hereby imposed as are provided in said Sections respectively; and such witnesses shall receive the compensation prescribed in Section 1465.

Investigation of books and papers.

Personal visitations.

Rules for examination.

Examination of agents and employees.

Obedience to rules.

Delegation of powers.

Powers of Commissioners as to witnesses and evidence.

Penalties.

Fees of witnesses.

SEC. 8. That all contracts and agreements between railroad companies doing business in this State as to rates of freight and passenger tariffs shall be submitted to said Commissioners for inspection and correction, that it may be seen whether or not they are a violation of the law or of the provisions of the Constitution or of this Act, or of the rules and regulations of said Commissioners; and all arrangements and agreements whatever as to the division of earnings of any kind by competing railroad companies doing business in this State shall be submitted to

Supervision of contracts.

Division of earnings to be approved.

A. D. 1892.

Rules and regulations.

said Commissioners for inspection and approval, in so far as they affect rules and regulations made by said Commissioners to secure to all persons doing business with said companies just and reasonable rates of freight and passenger tariff; and said Commissioners may make such rules and regulations as to such contracts and agreements as may be then deemed necessary and proper; and any such agreements not approved by such Commissioners, or by virtue of which rates shall be charged exceeding the rates fixed for freight and passengers, shall be deemed, held and taken to be violations of this Act, and shall be illegal and void.

Void agreements.

Violation of rules.

SEC. 9. That if any railroad company doing business in this State, by its agents or employees, shall be guilty of a violation of the rules and regulations provided and prescribed by said Commissioners, and if, after due notice of such violation given to the principal officer thereof, ample and full recompense for the wrong or injury done thereby to any person or corporation, as may be directed by said Commissioners, shall not be made within thirty days from the time of such notice, such company shall incur a penalty for each offense of not less than one thousand dollars nor more than five thousand dollars, to be fixed by the presiding Judge. An action for recovery of such penalty shall lie in any Court in the State where such violation has occurred or wrong has been perpetrated, and shall be in the name of the State of South Carolina. The Commissioners shall institute such action through the Attorney-General or any of the Solicitors of this State.

After notice.

Recompense to be made.

Penalty for failure.

Action for recovery.

How instituted.

Injuries to persons.

SEC. 10. That if any railroad company doing business in this State shall, in violation of any rule or regulation provided by the Commissioners aforesaid, inflict wrong or injury on any person, such person shall have a right of action and recovery for such wrong or injury in the County where the same is done in any Court having jurisdiction thereof, and the damages to be recovered shall be the same as in actions between individuals, except that in cases of willful violation of law such railroad companies shall be liable to exemplary damages: *Provided*, That all suits under this Act shall be brought within twelve months of the commission of the alleged wrong or injury.

Recovery.

Damages.

Limitation of time.

Rules of evidence.

SEC. 11. That in all cases under the provisions of this Act the rules of evidence shall be the same as in civil actions, except as hereinbefore otherwise provided. All fines recovered under the provisions of this Act shall be paid one-half into the State

Disposition of fines.

Treasury, to be used for such purposes as the General Assembly may provide, the other half into the County treasury of the County where said case is tried. The remedies now given by law against railroad corporations, and this Act, shall not be construed as repealing any Statute giving such remedies. A. D. 1892. Cumulative remedies.

SEC. 12. That the terms "Railroad Corporation" or "Railroad Company" contained in this Act shall be deemed and taken to mean all corporations, companies or individuals now owning or operating, or which may hereafter own or operate, any railroad, in whole or in part in this State, and the provisions of this Act shall apply to all persons, firms and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railroads in this State, (street railways and express companies excepted) the same as to railroad corporations hereinbefore mentioned. Definition of terms. To whom Act is applicable.

SEC. 13. That all railroad companies in this State shall on demand issue duplicate freight receipts to shippers, in which shall be stated the class or classes of freights shipped, the freight charges over the road giving the receipt, and, so far as practicable, shall state the freight charges over other roads that carry such freight. When the consignee presents the railroad receipt to the agent of the railroad that delivers such freight, such agent shall deliver the articles shipped on payment of the rate charged for the class of freights mentioned in the receipt. If any railroad company shall violate the provisions of this Act, such railroad company shall incur a penalty to be fixed and collected as provided in Section 9 of this Act. Duplicate receipts. Delivery of goods. Penalty.

SEC. 14. If any railroad company shall neglect or refuse to comply with the provisions of this Act, or of Title 12, Chapter 40, of the General Statutes, or with the rules and regulations prescribed by said Commissioners within the limit of their authority, such company shall be subject to a writ of *mandamus*, to be issued by any Justice of the Supreme Court, or Circuit Judge, upon application of the Commissioners, or a majority of them, to require compliance with said laws or said rules and regulations, and failure to comply with said writ of *mandamus* shall be punishable as for contempt; and for any willful violation of any of said laws, or failure to comply with the requirements of such rules or regulations, the Court may award such costs and counsel fees, on the return of said writs, and after due deliberation thereon, as may be just. *Mandamus* to require compliance. Punishment for disobedience. Costs and counsel fees.

SEC. 15. That the same penalty is hereby imposed for violation of any of the provisions of Section 1514 of the General Penalties.

A. D. 1892.

Statutes as is prescribed in Section 1466 for violation of the provisions of that Section.

Annual Reports by Commissioners.

SEC. 16. That it shall be the duty of the Commissioners herein provided for to make to the General Assembly annual reports of the transactions of their office, and to recommend from time to time such legislation as they may deem advisable under the provision of this Act.

Right to issue subpœnas.

SEC. 17. That said Railroad Commissioners in making any examination for the purpose of obtaining information pursuant to this Act shall have power to issue subpœnas for the attendance of witnesses by such rules as they may prescribe, and said witnesses shall receive from the State Treasury for such attendance

Fees of witnesses.

one dollar per day and five cents per mile traveled by the nearest practicable route in going to and returning from the place of

How paid.

meeting of said Commissioners, to be ordered paid by the Comptroller-General upon presentation of subpœnas sworn to by the witnesses as to the number of days served and miles traveled, before the Clerk of said Commissioners, who is hereby authorized to administer oaths. In case any person shall willfully fail

Penalty for disregard of subpœna.

or refuse to obey such subpœna, it shall be the duty of any Circuit Judge of the Court of Common Pleas and General Sessions of any County, upon application of said Commissioners, to issue an attachment for such witness and compel him to attend before the Commissioners and give his testimony upon such matters as shall be lawfully required by such Commissioners: and said Circuit Judge shall have power to punish for

Contempt.

contempt as in other cases of refusal to obey the process or order of the Court.

Penalty for failure by agent, &c., to report, &c

SEC. 18. That every officer, agent or employee of any railroad company who shall willfully neglect or refuse to make and furnish any report required by the Commissioners as necessary to the purposes of this Act, or who shall willfully and unlawfully hinder, delay or obstruct said Commissioners in the discharge of the duties imposed upon them, shall forfeit and pay a sum of not less than one hundred dollars nor more than one thousand dollars for each offense, to be recovered in an action in the name of the State as provided in Section 9 of this Act.

Duties of Commissioners.

SEC. 19. That it shall be the duty of the Commissioners to enforce the provisions of this Act and of Title XII of the General Statutes where not repugnant to this Act.

Present offices of R. R. Commissioners declared vacant.

SEC. 20. That the offices of Railroad Commissioners in this State be, and the same are hereby, declared vacant from the 31st

day of December, A. D. 1892. That such vacancy shall be supplied as hereinbefore provided. A. D. 1892.

SEC. 21. That all railroad companies owning or operating a line or railroad situated in whole or in part within the limits of this State shall deposit with the Railroad Commissioners a list containing the names and residences of the President and Board of Directors of the railroad company owning or operating the said line of railroad. Names and residences of President and Directors.

SEC. 22. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 23. That this Act shall take effect immediately upon and after its approval. When to take effect.

Approved December 19th, A. D. 1892.

AN ACT TO REPEAL SECTION 1 OF AN ACT ENTITLED "AN ACT TO REQUIRE COUNTY TREASURERS TO REPORT NUMBER OF POLLS WHO HAVE PAID THEIR POLL TAX TO THE CHAIRMAN OF THE BOARD OF TRUSTEES IN THE SEVERAL SCHOOL DISTRICTS, AND TO THE SCHOOL COMMISSIONER, AND TO REQUIRE SCHOOL TRUSTEES TO REPORT TO THE COUNTY AUDITOR ALL TAXABLE POLLS IN THEIR DISTRICT," APPROVED DECEMBER 22, 1891, AND TO RETAIN IN FORCE AN ACT ENTITLED "AN ACT TO AMEND THE GENERAL STATUTES RELATING TO THE ASSESSMENT AND COLLECTION OF TAXES FOR SCHOOL PURPOSES, AND TO ADD TWO NEW SECTIONS, TO BE KNOWN AS SECTION *229a* AND *229b*," APPROVED DECEMBER 24TH, A. D. 1890. No. 14.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all of Section 1 of an Act entitled "An Act to require County Treasurers to report number of polls who have paid their poll tax to the Chairman of the Board of Trustees in the several school districts, and to the School Commissioner, and to require School Trustees to report to the County Auditor all taxable polls in their district," approved December 29th, 1891, after the enacting words be, and the same is hereby, repealed. A. A. 1891, § 1, 20 Stat., 1049, as to publication of poll lists, repealed.

A. D. 1892.

Section 3 amended.

SEC. 2. That Section 3 of said Act be amended so as to read as follows:

Failure of Auditor in certain duties.

SECTION 3. That any Auditor failing to comply with this Act or the provisions of an Act entitled "An Act to amend the General Statutes, relating to the assessment and collection of taxes for school purposes, and to add two new Sections, to be known as Sections 229*a* and 229*b*," approved December 24th, A. D. 1890, shall be deemed guilty of a misdemeanor, and upon conviction before a Court of competent jurisdiction shall be fined in a sum of not more than one hundred dollars, or be imprisoned for a term not exceeding thirty days.

20 Stat., 718.

Penalty.

Construction.

SEC. 4. That nothing in this Act shall be construed as repealing the provisions of an Act entitled "An Act to amend the General Statutes relating to the assessment and collection of taxes for school purposes, and to add two new Sections, to be known as Sections 229*a* and 229*b*," approved December 24th, 1890.

20 Stat., 718.

Approved December 20th, A. D. 1892.

No. 15. AN ACT TO AMEND AND DECLARE THE LAW IN REGARD TO ACTIONS BY AND AGAINST THE REPRESENTATIVES OF DECEASED PERSONS AND OTHERS FOR INJURIES TO REAL ESTATE.

Preamble.

Whereas there is no remedy provided by law in South Carolina for injuries to the real estate of any person deceased committed during the lifetime of such deceased person, or for injuries to the real estate of any person committed by any person deceased during the lifetime of such deceased person. Now, for remedy thereof,

Survival of right of action declared.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That causes of action for and in respect to any and all injuries and trespasses to and upon real estate shall survive both to and against the personal or real representative (as the case may be) of deceased persons, and the legal representatives of insolvent persons,

and defunct or insolvent corporations, any law or rule to the contrary notwithstanding. A. D. 1892.

Approved December 20th, A. D. 1892.

AN ACT TO RECHARTER THE SOUTH CAROLINA MEDICAL ASSOCIATION, AND TO ESTABLISH A STATE BOARD OF HEALTH AND DEFINE ITS DUTIES. No. 16.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of incorporation of the South Carolina Medical Association, granted by the Act of the General Assembly of the State of South Carolina entitled "An Act to incorporate certain societies of South Carolina, and to renew certain charters heretofore granted," passed on the nineteenth day of December, one thousand eight hundred and forty-eight, with the rights and privileges therein contained, be revived and made of force and continued for the term of fourteen years. Charter renewed. 11 Stat., 517.

SEC. 2. That W. H. Hardin, President; G. W. Heinitsh, M. D., 1st Vice-President; L. C. Stephens, M. D., 2nd Vice-President; A. L. Gaubert, M. D., 3rd Vice-President; Mazyck P. Ravenel, M. D., Corresponding Secretary; W. Peyre Porcher, Recording Secretary; C. M. Rees, M. D., Treasurer; and their associates, members of the South Carolina Medical Association, and their successors, in their corporate capacity, together with the Attorney and Comptroller Generals of the State, and their successors in office, be, and the same are hereby, created a Board of Health for the State of South Carolina, to be known as the State Board of Health. Officers of Medical Association. *Ex officio* members. Created Board of Health.

SEC. 3. That the said South Carolina Medical Association, with the State officers above named, are hereby vested with all the rights and charged with all the duties pertaining to organizations of like character, and said Board of Health so constituted and established shall be the sole adviser of the State on all questions involving the protection of the public health within its limits, and it shall be the duty of the said Board to make an annual report to the Legislature on all matters relating to its action. Rights and duties. Advisers as to public health. Annual Report.

A.D. 1892.

Executive Committee.

SEC. 4. That the said Association, at its first meeting succeeding the passage of this Act, and every seven years thereafter, shall elect seven members, to be recommended by the Governor, who shall appoint them to co-operate with the State officers above named, to constitute an Executive Committee, having power to act in the intervals of the meetings of the State Board of Health. This Committee shall make annually a detailed report to the State Board of Health. Members of this Committee shall be removable at the pleasure of the Governor, by him at the request of the State Board of Health, or for neglect of duty or other cause set forth by the majority of the members of the Executive Committee. Vacancies shall be filled by appointments by the Governor on recommendation of the State Board of Health or of the Executive Committee, when such vacancies occur in the intervals of the meetings of the Association.

Report.

Removal from office.

Vacancies.

Organization.

Registrar General.

Health Districts.

Local Boards.

SEC. 5. That this Executive Committee shall, immediately after their appointment, proceed to organize by electing a Chairman and Secretary, the latter to be *ex officio* Registrar-General of the State. That they be authorized and empowered to divide the State into health districts, and in those districts in which no local Boards of Health exist they be required to appoint sub-Boards of Health, which shall consist of two practicing physicians and one layman. In all cases where local Boards of Health have already been established, these shall be subject to the supervisory and advisory control of the State Board of Health through its Executive Committee. They shall pass no ordinances, nor consider any such of force, that are repugnant to the rules and regulations of the State Board of Health.

Ordinances.

Duties as to epidemic diseases.

Other investigations.

SEC. 6. That it shall be the duty of the State Board of Health, through its representatives, to investigate the causes, character and means of preventing such epidemic and endemic diseases as the State is liable to suffer from; the influence of climate, localities and occupations, habits, drainage, scavengering, water supply, heating and ventilation; and shall make inspections annually, or oftener if necessary, of the sanitary condition of all institutions provided as State charities or supported at the public expense.

Inspections of State institutions.

Duties of sub-Boards and local Boards.

SEC. 7. That the sub-Boards, constituted as provided in Section 5, and local Boards of Health already organized are charged with the duty of investigating within their districts all matters of sanitary interest or scientific importance bearing in any wise upon the protection of the public health; and shall report to the

Report.

Executive Committee at such times and in such manner and form as the Executive Committee may prescribe. A. D. 1892.

Supervision of quarantine.

SEC. 8. That the State Board of Health shall supervise and control the quarantine system of the State, and shall annually, or oftener if necessary, require reports from the Health Officer on such forms as may be prescribed in all matters pertaining to quarantine. They shall also be authorized to establish quarantine both by land and sea. This quarantine shall not be established except by the advice and consent of the Governor.

Establishment of quarantine.

Registration of vital statistics.

SEC. 9. That it shall be the duty of the Executive Committee of the State Board of Health to recommend such provisions of law as shall be deemed necessary for the thorough organization of a system of registration of vital statistics throughout the State, and shall prepare the necessary methods and forms for obtaining and preserving such statistics.

Approved December 20th, A. D. 1892.

A JOINT RESOLUTION TO APPROPRIATE THE SUM OF FIFTY THOUSAND DOLLARS TO COMPLETE THE ERECTION AND EQUIPMENT OF CLEMSON AGRICULTURAL COLLEGE. No. 17.

Preamble.

Whereas, It is highly desirable and important to complete and equip Clemson Agricultural College in time for opening the same to the youths of the State the ensuing Spring; therefore,

Appropriation.

How paid.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of fifty thousand dollars be, and the same is hereby, appropriated for the completion and equipment of Clemson Agricultural College, the said sum to be paid by the State Treasurer, out of any funds not otherwise appropriated, to the Treasurer of the Board of Trustees of Clemson Agricultural College, on the application of the President of the said Board of Trustees, on the warrant of the Comptroller-General.

Approved December 20th, A. D. 1892.

A. D. 1892.

No. 18.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO UTILIZE THE LABOR OF JAIL AND MUNICIPAL CONVICTS, AND TO EMPOWER THE COURTS AND MUNICIPAL AUTHORITIES TO IMPOSE THE PUNISHMENT OF LABOR WITHIN THEIR RESPECTIVE JURISDICTIONS," APPROVED DECEMBER 22ND, A. D. 1885.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1885, 19 Stat., 125, amended.

an Act entitled "An Act to utilize the labor of jail and municipal authorities to impose the punishment of labor within their respective jurisdictions," approved December 22d, 1885, be, and the same is hereby, amended so as to read as follows:

SECTION 2. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Courts may sentence to hard labor.

from and after the passage of this Act all Courts and municipal authorities, which, under existing laws, have power to sentence convicts to confinement in prisons, may within their discretion and jurisdiction impose the condition of hard labor.

Where labor is to be performed.

SECTION 3. That all male convicts so sentenced to hard labor and confinement for a period not exceeding twelve months may, upon the conditions hereinafter specified, be required to perform hard labor upon the public highways, roads, bridges and other other public works of the County in which the offense of which they are convicted was committed, or upon the streets or other public works within the limits of the incorporated cities, towns and villages in the said County in which the offense for which they are sentenced was committed.

Control of County convicts

SECTION 4. That all convicts so sentenced to hard labor for the County shall be under the direction and control of the Board

Control of municipal convicts.

of County Commissioners, and the said municipal convicts under sentence to hard labor shall be under the direction and control of the said municipal authorities, who shall respectively direct

Proviso.

the time, place and manner of the labor to be performed: *Provided,* That in their judgment it be practicable to employ the

Guards.

labor to advantage: *And provided, further,* That the said Board of County Commissioners and said municipal authorities respectively provide suitable and efficient guards for the safe keeping of

Expenses.

said convicts, the said guards and all expenses incident to the dieting, keeping, clothing, guarding and working of said convicts be paid out of the County funds when employed by said

A. D. 1892.

Board of County Commissioners, and out of municipal funds when employed by said municipal authorities: *And it is further provided,* That in case a suitable and efficient guard for the safe keeping of convicts shall be provided by the authorities of an incorporated city, town or village, and there shall be no such guard provided by the Board of County Commissioners of the County in which such city, town or village is situated, it shall be lawful for the Courts, State as well as municipal, to sentence to hard labor on the streets, or other public works of such city, town or village, persons convicted of offenses committed within the County, as well as persons convicted of offenses committed within the city, town or village; and such convicts so sentenced shall be under the direction and control of the said municipal authorities.

Labor of County convicts in towns and cities

SECTION 5. That the County Sheriffs charged with the custody of prisoners so sentenced to hard labor shall during the work hours of the day or during a term of days to be specified by said municipal authorities or Board of County Commissioners, upon the order of said municipal authorities or Board of County Commissioners, as the case may be, deliver them to the safe keeping of the authorities herein provided for their control and direction: *Provided,* That no fees shall be charged by the Sheriff other than that of the original commitment and final discharge.

Delivery of convicts by Sheriff.

Fees of Sheriff.

Approved December 20th, A. D. 1892.

AN ACT TO FURTHER REGULATE THE PUBLICATION OF THE ACTS AND JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY OF THIS STATE.

No. 19.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter in the publication of the Acts and Joint Resolutions of the General Assembly of this State there shall be only one index, which shall include in alphabetical order all the indexed matter in the "General Laws and Joint Resolutions" and in the "Special Acts and Joint Resolutions" and in the List of Charters.

One Index directed.

SEC. 2. That whenever an Act or Joint Resolution of a previous session is amended, repealed, or referred to, a reference shall be

Cross references in margin

A. D. 1892.

made in the margin to the volume and page of the Statutes at Large where such Act or Joint Resolution is to be found.

List of charters.

SEC. 3. That the list of charters granted by the Secretary of State for the then next preceding fiscal year shall be printed in alphabetical order as an appendix to the Acts and Joint Resolutions of every regular session, such list to be printed in the same type as the body of the Acts, embracing only the name of the corporation, in small caps, to be followed in lower case, and without paragraphs, with the location and purposes of the corporation, amount of authorized capital stock, and date of charter.

How printed.

Repealing clause.

SEC. 4. That so much of an Act entitled "An Act to provide for the separation of General Laws and Joint Resolutions from those relating to other matters in the binding and indexing thereof," approved December 23, 1889, and of all other Acts and Joint Resolutions as is inconsistent with this Act be, and the same is hereby, repealed.

20 Stat., 280.

When to take effect.

SEC. 5. That this Act shall take effect on the day of its approval.

Approved December 20th, A. D. 1892.

No. 20. AN ACT TO PROVIDE FOR THE REDEMPTION OF THAT PART OF THE STATE DEBT KNOWN AS THE BROWN CONSOL BONDS AND STOCKS BY ISSUE OF OTHER BONDS AND STOCKS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer shall cause to be prepared a sufficiency of blanks of coupon bonds and certificates of stock of uniform design and appearance, to be colored brown, as will provide for a total issue of an amount (face value) in the aggregate of such bonds and certificates of stock not to exceed the aggregate amount of bonds and stocks that have been or may be issued under an Act entitled "An Act to reduce the volume of the public debt and provide for the payment of the same," approved December, A. D. 1873, and Acts amendatory thereto, and other Acts providing for the funding of bills of Bank of this State, Acts to fund past due interest on Consols, and an Act to provide for

Brown Bonds and Stocks to be prepared by State Treasurer.

Amount.

15 Stat., 518.

17 Stat., 112, 221, 472.

17 Stat., 191, 261.

A. D. 1893.

the settlement of the consolidated debt of the State, in accordance with the decision of the Supreme Court of South Carolina, approved December 23d, 1879, and an Act amending the same, approved 19th February, 1880, and other Acts authorizing the issue of said Consols, and also any other like bonds and stock which may be hereafter issued in pursuance of said Acts of the General Assembly, said bonds to be of the denominations of five hundred and one thousand dollars, and said certificates of stock to have their respective face values left blank, so that the same may be filled as may be most convenient for the purpose of the exchange herein provided for. That said bonds and certificates of stock shall bear interest from the date of their issue until the date of their maturity at the rate of four and one-half per cent. (4½ %) per annum, payable semi-annually from and after said date on the first day of July and January in each year, at the State Treasury, in the city of Columbia, or at the agencies of the State in the cities of Charleston and New York, which places of payment shall be expressed on the face of the bonds, and said bonds shall have coupons attached thereto for the interest which shall become due on said bonds, as herein above stated, and the interest on said certificates of stock shall be paid semi-annually in the manner now provided by law.

17 Stat., 104, 240.

Denominations.

Semi-annual interest of 4½ per cent.

When interest is payable.

Coupons.

SEC. 2. Said bonds and certificates of stock shall become payable at the end of the term of forty years from the first day of January, A. D. 1893, but the State shall reserve to itself the right to call in and pay the whole or any part of the issue at any time after the expiration of twenty years from date of issue, but in such event the bonds first called in will be those of the highest numbers or last issued, and thereafter the registered bonds or stock, calling first the highest number or last issued certificates. That said coupon bonds and certificates of stock shall be signed by the Governor of the State, countersigned by the Comptroller-General, and have the great seal of the State affixed thereto by the Secretary of the State, which signing and sealing shall be made and done at the time of their issue and not before; the coupons shall bear the signature of the State Treasurer, his name being lithographed or engraved thereon. That the said coupon bonds shall be exchangeable for certificates of stock, and said certificates of stock shall be exchangeable for coupon bonds: *Provided*, That no bond or bonds shall be issued in exchange for stock so presented except in the sum of one hundred dollars or multiples thereof, and that for any fractional part remaining of

When payable.

Reserved right of anticipation.

Order of anticipation.

How executed.

Exchangeability of bonds and stocks.

A. D. 1892.

such certificate or certificates so presented new certificates of stock be issued.

Cancellation of surrendered consols.

SEC. 3. That all bonds and certificates of stock surrendered as hereafter provided for shall immediately upon such surrender be cancelled and filed by the State Treasurer with the permanent records of his office, and a correct registry shall be kept by the State Treasurer of all exchanges made under the provisions of this Act, so as to exhibit in a separate account and convenient form the names of the holders thereof and the number and amounts of all such bonds and stocks received into the Treasurer's office, together with the numbers and denominations of all bonds and stocks issued in exchange therefor or sold by him under the provisions of this Act. And the Secretary of State is hereby required to keep at all times a correct registry of all the bonds sealed by him under the provisions of this Act. And the Governor is in like manner hereby required to keep a similar registry of all bonds signed by him, each registry to be accessible to public inspection at all times.

Registry of exchanges.

Registry by Secretary of State.

Registry by Governor.

Receivable in payment of taxes.

SEC. 4. That all coupons of said bonds, and all interest orders of said certificates of stock, the issue of which bonds and certificates of stock is herein above provided for, and the principal of such bonds when the same become due, shall be receivable in payment of all taxes which shall become payable to the State during the year in which said coupons and interest orders or the principal of said bonds shall become payable, except for the tax levied for the support of public schools, and the fact that the said principal and coupons are so receivable shall be expressed on the face of the said bonds, coupons and interest orders respectively, and this pledge is hereby declared to be a contract between the State of South Carolina and every holder of said bonds and certificates of stock, which pledge shall be expressed on the face of said bonds and certificates of stock.

Exceptions.

To be expressed on face of bonds.

Pledge by the State.

Pledge of phosphate royalty as sinking fund.

SEC. 5. That as further security for the reduction and payment of this debt the revenue to the State arising from royalty on phosphate beds shall be set aside to the amount of thirty-seven thousand and five hundred dollars each half year, beginning with 1st January, 1894, as a sinking fund for the reduction of said debt, and this provision shall be expressed upon the face of the bonds, and that the Governor, the State Treasurer, the Comptroller-General, the Attorney-General and the Chairman of Committee on Finance (or Ways and Means) of the Senate, and the Chairman of Committee on Finance (or Ways and Means) of the

Sinking Fund Commission.

House of Representatives shall be constituted a Sinking Fund Commission. And the said Commission shall from time to time invest all amounts which, and as the same may be paid into the said sinking fund, in the bonds and stock issued under the terms of this Act, and hold the same as assets of such sinking fund, collecting the interest thereon as the same may become payable, and reinvesting the same in such bonds or stock, to be held in like manner, so that the said sinking fund shall be cumulative. But if in the judgment of the Commissioners of the Sinking Fund bonds are not offered or obtainable at a reasonable price, they shall in their discretion invest such funds or any part thereof in such other securities, giving preference to State securities of the States of the United States, until such time as may in their judgment be best to reinvest the money by purchase of State of South Carolina bonds: *And it is further enacted,* And the credit and faith of the State is hereby pledged to raise by levy upon the taxable property of the State such money as may be necessary to meet the semi-annual interest upon the debt of the State: *And it is further agreed* with the purchasers and holders of the bonds and stocks of the State of South Carolina, that should the State at any time sell the phosphate interest, there shall be reserved from the proceeds of such sale a sum sufficient to provide for the payment and retirement of these bonds when due or called for, and for the continuance of the sinking fund until such time as the whole debt shall be met and provided for, and the State of South Carolina pledges her faith and honor that under no other terms shall the phosphate beds be alienated, and this pledge is hereby declared a contract between the State of South Carolina and every holder of bonds and certificates of stock issued under this Act, which pledge shall be expressed on the face of said bonds and certificates of stock.

A. D. 1892.

Investments by Sinking Fund.

Tax levy pledged.

Proviso as to sale of phosphate beds.

Faith pledged.

SEC. 6. The Governor and State Treasurer are hereby authorized and instructed to sell the issue of bonds herein provided for at not less than par or face value, and the proceeds thereof shall be applied to the payment of the consolidated bonds and certificates of stocks, commonly called Brown Consols, and to no other purpose.

Sale of new issue.

Application of proceeds.

SEC. 7. That the said Brown Consols as paid shall be cancelled by the Treasurer, and thereafter shall be compared with the record and destroyed by the Sinking Fund Commissioner.

Cancellation of outstanding consols.

SEC. 8. That the State Treasurer be, and he is hereby, authorized and required to receive from the purchasers of the new four

Present exchange authorized.

A. D. 1892.

and one-half (4½) per cent. bonds, who may surrender before the first day of July, 1893, all coupon bonds and all certificates of stock, commonly known as "Brown Consols," tendered by them, and shall thereupon, in exchange for, and in lieu of, said bonds and certificates of stock so surrendered, issue to said holders other coupon bonds and certificates of stock of equal face value with those so surrendered, and of the kind, class and description the issue of which is provided for in this Act. Or the State Treasurer may issue to such holders as may require it all bonds or all stock, or part bonds and part stock, of said authorized issue in making such exchange; and further, at the time of such surrender and exchange the said State Treasurer shall pay to the holder of such bonds and certificates of stock (*i. e.*) the purchaser of the new four and one-half per cent. (4½ % bonds) in cash, the difference in interest from the date of exchange, or from the last interest period, to wit, January, 1893, up to and including the maturity of such bonds and stock, that is to say one and one-half per cent. (1½ %) per annum interest.

Payment of difference in interest.

Sale to be made by Governor and State Treasurer.

SEC. 9. That the sale of the bonds or certificates of stock the issue of which is hereinabove provided for shall be made by the Governor and State Treasurer, and a correct registry of such bonds and certificates of stock when sold shall be kept in the same manner already provided for in this Act, and the proceeds of such sales shall be kept as a separate fund, to be used exclusively for the final redemption of such consolidated bonds and certificates of stock hereinbefore described as shall not be exchanged for the bonds and certificates of stock the issue of which is provided for in this Act: *Provided, however,* That the Governor and State Treasurer, if in their judgment it is best so to do, shall have the authority to exchange, in whole or in part, the new four and one-half per cent. bonds for Brown Consols upon such terms as may best subserve the public welfare.

Application of proceeds.

Exchange authorized.

Appropriation to pay expenses.

SEC. 10. That for the purpose of defraying the expenses to be incurred in carrying out the provisions of this Act, the sum of eight thousand dollars, if so much be necessary, is hereby appropriated, to be drawn on the warrant of the Comptroller General, to be approved by the Governor.

Appropriation to pay difference in interest.

SEC. 11. That the State Treasurer be, and is hereby, authorized to use so much of the general fund as may be necessary for the payment of the difference in interest on exchange of bonds, and the receipt of the person receiving the said difference in interest shall be the State Treasurer's voucher therefor.

A. D. 1892.

SEC. 12. That said bonds and certificates of stock shall be free from all State, County and municipal taxes whatsoever.

Exempt from taxation.

SEC. 13. That the Governor and State Treasurer are hereby authorized, in their discretion, to perform all and singular every act necessary to carry out the provisions of this Act not herein specifically given, and which are not inconsistent with the provisions hereof; and in order to have the said bonds and stocks promptly placed the Governor and State Treasurer are hereby authorized to offer and pay a commission to parties placing said bonds and stock; and the funds belonging to the sinking fund are hereby appropriated to pay such commission, if so much be necessary: *Provided, however,* That they shall have said bonds and stocks placed without paying a commission if practicable.

Authority of Governor and State Treasurer.

Commission for placing.

Proviso.

SEC. 14. That so much of the capital stock or funds of any bank, banking association or other corporation of any nature or kind located within this State as is or shall be invested in the bonds and stocks, or either of them, the issue of which is provided for in this Act, shall be exempt from all State, County, township, municipal or other taxation.

Investments by corporations exempted from taxes.

SEC. 15. That the holders of the South Carolina four per cent. bonds issued for the redemption of the Brown Consols shall have the right to surrender the said four per cent. bonds to the State Treasurer, and to receive in exchange therefor Brown four and one-half per cent. bonds of equal face value, as provided for in this Act.

Exchange of 4 per cent. bonds.

SEC. 16. That any Trustee, Executor, Administrator, Guardian, Committee, Receiver, Master, Clerk of Court, or any other person acting in any fiduciary capacity whatever, who as such holds an investment of trust funds or otherwise any Consol bonds or stock of this State, the refunding of which is contemplated by the provisions of this Act, shall be, and he or they are hereby, vested with full authority to exchange the said bonds or stock so held by him or them for the new four and a half per cent. stock or bonds to be issued under the terms of this Act at the ruling rates: *Provided,* Such exchange shall be offered to him or them, and hold the new stock or bonds so received and exchanged subject to each and all of the uses, trusts and purposes for or upon which the bonds or stock so exchanged were held; and the said Trustee, Executor, Administrator, Guardian, Committee, Receiver, Master, Clerk of Court, or other person, shall be, and he or they are hereby, declared free from any liability or accountability whatsoever to their several *cestui que trusts* or beneficiaries

Trustees, &c., authorized to accept this issue in exchange.

A. D. 1892.

because of his or their action in making such exchange in accordance with the provisions hereinbefore set forth.

When to take effect.

SEC. 17. That this Act shall take effect from and immediately after the date of its approval; that all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 22nd, A. D. 1892.

No. 21. AN ACT TO REPEAL ALL ACTS IN RELATION TO ATTORNEYS' COSTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all Acts in relation to attorneys' costs be, and the same are hereby, repealed: *Provided*, That this shall not apply to causes now pending or existing liquidated contracts.

Costs to attorneys abrogated.

Proviso.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with or repugnant to this Act are hereby repealed.

Approved December 22nd, A. D. 1892.

No. 22. AN ACT RELATING TO THE DISTRIBUTION OF THE DIRECT TAX FUND.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there be paid to Charles Richardson Miles, the Master designated by his Excellency the Governor, in Charleston, for the distribution of the Direct Tax Fund, the sum of five hundred dollars as additional compensation to that heretofore allowed for his services in this matter, to be paid in two installments.

Compensation to C. R. Miles.

Compensation to T. J. Kirkland

SEC. 2. That there be paid to T. J. Kirkland, the Commissioner appointed by his Excellency the Governor, the sum of one

thousand dollars as additional compensation to that heretofore allowed for his services in this matter. A. D. 1892.

SEC. 3. That the said amounts be paid out of the Direct Tax Fund on the warrant of the Comptroller-General issued on the order of his Excellency the Governor, upon the application of the said parties respectively. How paid.

Approved December 22nd, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND INSTRUCT THE ATTORNEY-GENERAL TO INSTITUTE LEGAL PROCEEDINGS IN THE MATTER OF THE PORT ROYAL AND AUGUSTA RAILWAY COMPANY. No. 23.

Whereas his Excellency the Governor of this State has brought to the attention of this General Assembly the fact that the present management of the Port Royal and Augusta Railway Company is illegally under the control of a foreign competing corporation, and is violating the duty which the said Railway Company owes the State, and is abusing its chartered powers and franchises. *And, whereas,* the Attorney-General of this State has, as the result of an investigation directed by the General Assembly at its last session, reported that such control of the Port Royal Railway Company was obtained for the purpose of preventing competition, and is a subversion of the purposes for which the company was chartered : Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney-General be, and is hereby, authorized and instructed, in the name and on behalf of the State, to institute proper legal proceedings, to remedy the evils referred to, to compel the said Port Royal and Augusta Railway Company to comply with the obligations imposed by its charter, to prevent the continuance of the unlawful control of the said railway company by the Central Railroad and Banking Company of Georgia directly, indirectly or otherwise, or to forfeit the charter of the said Port Royal and Augusta Railway Company, if such a course is necessary to effect such results. Legal proceedings directed. Objects.

Approved December 22nd, A. D. 1892.

A. D. 1892.
No. 24.

AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a

General levy for State purposes.

tax of five and one-half (5½) mills, exclusive of the public school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State, be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the government for the fiscal year commencing November 1, 1892, and to meet such other indebtedness as has been, or shall be, provided for in the several Acts and Joint Resolutions passed by this General Assembly at the regular session of 1892 providing for the same.

Levy for County purposes.

SEC. 2. That a tax is hereby levied upon all taxable property in each of the Counties of this State for County purposes for the fiscal year commencing November 1, 1892, to the amounts hereinafter respectively stated, that is to say:

Abbeville 3¾ mills.

For the County of Abbeville, for ordinary County purposes, three mills; for deficiency of 1891 and 1892, and for past indebtedness, including interest on deficiency of 1890 and 1891, three-fourths (¾) of one mill.

Aiken 3¼ mills.

For the County of Aiken, for ordinary County purposes, three (3) mills; for past indebtedness, one-fourth (¼) of one mill.

Anderson 3 9-10 mills.

For the County of Anderson, for ordinary County purposes, three (3) mills; for special road tax, as provided for by Act of

20 Stat., 1215.

Legislature approved December the 18th, A. D. 1891, two-tenths (2-10) of one mill; and for past indebtedness, seven-tenths (7-10) of one mill.

Barnwell 5½ mills.

For the County of Barnwell, for all County purposes, five and one-half (5½) mills; the sum of five thousand dollars to be appropriated and held exclusively for the payment of certificates of jurors, State witnesses and Court Constables during the fiscal year beginning November the first, 1892, and any surplus thereof be carried forward to the credit of the same special fund for the next ensuing fiscal year. And the County Commissioners are

Loan by County Commissioners.

hereby authorized to borrow any sum, not exceeding twenty-five hundred dollars, at a rate of interest not greater than eight per cent., which may be necessary to supplement the special fund now on hand for the cash payment of the certificates of jurors, State witnesses and Court Constables which shall be issued before the collection of taxes herein provided; also, any sum not

exceeding one thousand dollars to supplement the fund now on hand for ordinary County purposes; which loans shall be paid out of the first proceeds of said levy for all County purposes. A. D. 1892. Repayment.

For the County of Beaufort, for ordinary County purposes, three and one-fourth (3¼) mills; for past indebtedness, one (1) mill; for roads and bridges, three-fourths (¾) of one mill; and the proceeds derived from the issuing of liquor licenses shall be applied first, to the payment of the Court expenses (General Sessions and Common Pleas), and the remainder, if any, to the fund for ordinary County purposes. That the residue, if any, of the proceeds derived from liquor licenses during the last fiscal year, now in the hands of the County Treasurer, shall be applied to the payment of the ordinary County expenses for the last fiscal year, ending October the 31st, 1892. Beaufort 5 mills. Proceeds of liquor license.

For the County of Berkeley, for ordinary County purposes, two and three-eighths (2⅜) mills; for Court expenses, one and three-eighths (1⅜) mills; for poor house and poor, three-fourths (¾) of one mill; for bonds and interest, one-fourth (¼) of one mill. And the County Commissioners are hereby authorized to borrow a sum of money not exceeding fifteen thousand (15,000) dollars, and to pledge the first collection of taxes for ordinary County purposes for the payment of the sum so borrowed and the interest thereon, said money so borrowed to be applied first, to the payment of jurors, witnesses and Constables and Court expenses, and the balance to general County purposes, and to apply any surplus to the payment of the past indebtedness of said County. Berkeley 4¾ mills. Loan by County Commissioners. Application of loan.

For the County of Charleston, in which it shall be one and one-half (1½) mills. That the proceeds of one-eighth of one mill of said levy shall be set apart and applied to the use of the militia in said County, in accordance with the special Act thereto relating. That the remainder of said levy shall be applied as follows: The sum of five thousand dollars is hereby appropriated to meet the cost of continuing the construction of the stone roadway leading from the city of Charleston towards the County line, such sum to be expended entirely and directly in such work and repairs on said road, and not in the payment of salaries of any officials connected with such road. And the remainder of the proceeds of said levy shall be used for general County purposes, including therein Court and jail expenses, also one hundred dollars to the Superintendent of Highways at McClellanville, to pay his salary for the year 1893, and the cost of necessary repairs Charleston 1½ mills. Militia. Stone roadway. General County purposes. Superintendent of Highways

A. D. 1892.

to roads and bridges; also the sum of eleven thousand and eight hundred dollars to pay the interest to mature during the fiscal year commencing November the 1st, 1892, on the six per cent. bonds issued by said County, and also the installment of the principal of said bonds which will mature during said year. That out of the proceeds of the liquor license fund there shall be paid the amount of the installment of the County bonds which mature in the year 1893, with interest thereon, and also such sums as may be necessary to pay in full whatever balance may remain due and unpaid on the notes of the County Treasurer, given by him under authority of law, or any deficiency caused by the payment of such notes out of any other funds; the sum of one hundred and eighteen and $\frac{21}{100}$ dollars to pay the amount due W. P. Cantwell for services rendered as Supervisor of Registration; the sum of one hundred and twenty dollars, to pay the amount due Samuel E. Singleton, for services rendered Board of Commissioners of Registration; and the sum of eighty $\frac{62}{100}$ dollars, amount due C. M. Rivers for services rendered as Coroner from July 4th to July 19th. After which may be paid out of said proceeds the amount herein before appropriated for continuing the construction of the stone roadway; and next, for election expenses to State Commissioners, four hundred and nineteen $\frac{16}{100}$ dollars, to Federal Commissioners four hundred and sixty $\frac{69}{100}$ dollars, for repairs to bridges, avenues and culverts along the State road five hundred dollars. The balance of the liquor license fund shall be held by the County Treasurer and paid out by him proportionally towards salaries due by the said County for the fiscal year 1892–93 in the manner hereinafter provided and without preference. That all other funds and balances in the hands of, or to the credit of, the County Commissioners not otherwise appropriated, or herein appropriated and not required, are hereby appropriated to general County purposes. That the City Treasurer of the city of Charleston shall levy and collect, when the first installment of the city tax is paid, in addition to the one mill tax now provided by law, an additional tax of one mill, to be accounted for and paid over by the said City Treasurer as the said one mill tax is now accounted for and paid, and the proceeds thereof to be used in support of the public schools of said city. That the sum of five hundred dollars of the public school fund appropriated to the support of the public schools in the city of Charleston shall be used in aid of the Art School in the city of Charleston, in consideration that the instructor of such school shall give to the

Interest on bonds.

Payment of bonds.

Liquor license fund.

Deficiency.

W. P. Cantwell.

S. E. Singleton.

C. M. Rivers.

Continuation of stone roadway.

Election expenses.

Repairs to bridges, &c.

Salaries.

Balance to County purposes.

Tax by City Treasurer for schools.

Art School.

A. D. 1892.

pupils of the city public schools such instruction in drawing as the Board of Commissioners of the public schools of the city of Charleston may require. That the County Treasurer of Charleston County be, and he is hereby, authorized and directed to borrow, from time to time, and as the same may be required, on his official note as County Treasurer, or other similar official evidences of indebtedness, a sum or sums not exceeding in all thirty-two thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying the salaries and commissions of all County officials whose salaries and commissions are fixed by law, also to pay the Court expenses; also to pay the installment and interest on the County debt to mature in 1893, should there be any deficiency therein after the payment herein above directed from the liquor license fund; and also such expenditures for ordinary County purposes as require immediate payment, said sum so borrowed to be repaid, with interest thereon, by the said County Treasurer from the taxes levied upon and to be collected in the said County for the present fiscal year as soon as the same may be collected, and to constitute a valid claim against said County and a prior lien on all of the County taxes levied, except the school tax and the tax for the use of the militia in the said County, for the present and future fiscal years, until the same are paid and discharged in full, such amounts, if so borrowed, to be paid on such salaries and claims without any preference whatsoever. That all claims against the County, except the salaries and commissions of County officers whose salaries and commissions are fixed by law and the County Treasurer's notes herein above provided, shall be paid upon the warrants of the County Commissioners as now provided by law, the salaries and commissions of such officers whose salaries and commissions are fixed by law to be paid by the County Treasurer monthly, on the receipt of such officers; and said County Commissioners are hereby required to audit all claims, except such salaries and Treasurer's notes, presented to them, within ten days from the date of such presentation, and forthwith to draw their warrant on the County Treasurer for the amount so found due: *Provided*, The money to meet the same is in the hands of the County Treasurer: *Provided, further*, That if by reason of any legislation enacted at this session of the General Assembly no liquor licenses shall be collectible by or payable to the said County of Charleston, or the County Commissioners of said County, for or during the year A. D. 1893, that in such event, but in no

Loan by County Treasurer.

Limit and purposes.

Pledge of taxes.

Exceptions.

How payments are to be made.

Audit of claims.

Warrants.

Proviso.

Tax to be 2½ mills if no liquor licenses.

A. D. 1892.

other, the general levy in and for the said County of Charleston shall be two and one-half mills instead of one and one-half mills as hereinbefore provided.

Chester 6¼ mills.

For the County of Chester, for ordinary County purposes, three and one-half (3½) mills; for retiring and paying interest on County bonds, two and three-fourths (2¾) mills.

Chesterfield 7 mills.

For the County of Chesterfield, for ordinary County purposes, five (5) mills; for building of new jail two (2) mills.

Clarendon 8¾ mills.

For the County of Clarendon, for ordinary County purposes,

Application.

two and three-fourths (2¾) mills; to be distributed as follows: for Auditor, Treasurer's commissions, Clerk of Court, Jury Commissioners, Board of Equalization, one thousand one hundred and twenty-five (1,125) dollars; for Sheriff, one thousand (1,000) dollars; for Trial Justices and their Constables, twelve hundred (1200) dollars; for County Commissioners and their Clerk, eight hundred and fifty (850) dollars; for the Poor House, five hundred (500) dollars; for books, stationery and printing, two hundred dollars (200); for repairs of bridges, five hundred (500) dollars; for jurors, witnesses and Constables, twelve hundred (1200) dollars; for Coroner, one hundred (100) dollars; for lunacy, one hundred dollars; for contingent funds, one hundred dollars; for past indebtedness, if any, four hundred and forty-one dollars.

Colleton 5⅛ mills.

For the County of Colleton, there shall be levied upon the taxable property in the County of Colleton the following: for ordinary County purposes, three (3) mills; for roads and bridges, one (1) mill; for poor house and poor, three-eighths (⅜) of one mill; for interest on railroad bonds, one-half (½) of one mill; for money borrowed and unpaid, one-half (½) of one mill, the surplus, if any, to go to ordinary County expenses; for all other indebtedness of the County, the moneys derived and to be derived

Liquor license fund.

from liquor licenses: *Provided,* That claims against the fund arising from said liquor licenses shall be paid in the following order: first, all claims known as "past indebtedness;" second, all unpaid claims for the fiscal year of 1890-91; third, all unpaid claims for the fiscal year of 1891-92. Any surplus remaining after the payment of the aforesaid claims shall be applied to ordinary County purposes; for court house, jail, and repairs on

Public buildings.

public buildings, one-eighth (⅛) of one mill: *Provided, further,* That the County Commissioners of said County are hereby au-

Loan by County Commissioners.

thorized and empowered to borrow such amounts of money as may be necessary to pay all Court expenses, including the per

diem and mileage of jurors and witnesses, dieting prisoners, and to pay the interest on railroad bonds issued by said County, the interest to be paid for said borrowed money not exceed seven per cent.; and the said Commissioners are authorized to pledge, as security for said borrowed money, the tax herein levied for ordinary County expenses and interest on railroad bonds.

Pledge of taxes.

For the County of Darlington, for ordinary County purposes, three (3) mills; and for jail debt, one-half (½) of one mill, and the County Commissioners of Darlington County are hereby authorized and empowered to borrow money at a rate of interest allowed by law, to an amount not exceeding the total taxes assessed in said County for County purposes, and pledge the taxes of said County for such money as may be borrowed by them from time to time for the actual needs of said County, and the interest thereon.

Darlington 3½ mills.

Loan by County Commissioners.

Pledge of taxes.

For the County of Edgefield, for ordinary County purposes, one and seven-eighths (1⅞) mills; for jurors, witnesses and Constables, three-eighths (⅜) of one mill; for repairs on roads and bridges, seven-eighths (⅞) of one mill. And the County Commissioners of Edgefield County are hereby authorized to borrow money for the purpose of paying any of the claims arising under this levy for the purposes herein named, and to pledge for the payment of same the proceeds of three and one-eighth (3⅛) mills herein authorized to be levied, provided the said County Commissioners can borrow the money at a reasonable rate of interest.

Edgefield 3½ mills.

Loan by County Commissioners.

Pledge of taxes.

For the County of Fairfield, for ordinary County purposes, three and one-half (3½) mills; for past indebtedness, one (1) mill. The County Commissioners are hereby authorized and empowered to borrow money upon such terms as to them may seem reasonable for the purpose of paying in cash the Court expenses for and during the year 1893.

Fairfield 4½ mills.

Loan by County Commissioners.

For the County of Florence, for ordinary purposes, three and one-half (3½) mills.

Florence 3½ mills.

For the County of Georgetown, for all County purposes, five and one-half (5½) mills.

Georgetown 5½ mills.

For the County of Greenville, for ordinary County purposes, three (3) mills; for past indebtedness, three-fourths (¾) of one mill; for retiring Air Line Railroad bonds, one (1) mill; for interest on Air Line Railroad bonds, one and one-fourth (1¼) mills; for interest on Greenville and Laurens Railroad bonds, one-half (½) of one mill.

Greenville 6½ mills.

For the County of Hampton, for ordinary County purposes,

Hampton 4½ mills.

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four and one-half (4½) mills: *Provided*, That any balance in the County treasury arising from any tax levied for the present fiscal year not specifically appropriated shall be applied to the next fiscal year to paying certificates of jurors and witnesses, and of such Constables as may be in attendance on the Courts of General Sessions and Common Pleas.

Appropriation of balances.

Horry 3⅛ mills.

For the County of Horry, for ordinary County purposes, two (2) mills; for special contingent, one-eighth (⅛) of one mill; for poor of County, three-fourths (¾) of one mill; for roads and bridges, one-eighth (⅛) of one mill; for books, printing, etc., one-eighth (⅛) of one mill.

Kershaw 6⅛ mills.

For the County of Kershaw, for ordinary County purposes, three and one-half (3½) mills; for interest on railroad bonds, two and one-half (2½) mills; for past indebtedness, one-eighth (⅛) of one mill.

Laurens 6¼ mills.

For the County of Laurens, for ordinary County purposes, two and three-fourths (2¾) mills; for railroad tax, three and one-half (3½) mills.

Lexington 3⅛ mills.

For the County of Lexington, for ordinary County purposes, three (3) mills; for making up lost fiscal year of 1877–78, one-half (½) of one mill; for interest on bonds in aid of the Columbia, Newberry and Laurens Railroad, one (1) mill in Broad River and Fork Township, and one and one-half (1½) mills in Saluda Township, and one-fourth (¼) of one mill in Broad River, Fork and Saluda Townships, for a sinking fund for the purpose of retiring railroad bonds: *Provided*, That in anticipation of the collection of said tax the County Commissioners be, and they are hereby, authorized to borrow, on the credit of the County, and upon the pledge of the taxes first collected, and turn over to the County Treasurer, the sum of six thousand (6,000) dollars, if so much be necessary, for the current expenses of the County for the fiscal year ending October 31st, 1893, at a rate of interest not exceeding seven (7) per cent. per annum: *And provided, further*, That the County Treasurer and County School Commissioner of Lexington County be, and they are hereby, authorized to borrow from time to time during the fiscal year such sums of money as may be necessary to pay the school claims of said County, not to exceed the sum of seven thousand (7,000) dollars, at a rate of interest not to exceed seven (7) per cent., and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon: *Provided*, That all money borrowed shall be held and paid out by the County Treasurer as now provided by law.

Special Township levies.

Loan by County Commissioners.

Pledge of taxes.

Loan for school fund.

Limit.

Pledge of taxes.

Proviso.

For the County of Lancaster, for ordinary County purposes, four mills; for interest on County railroad bonds, three (3) mills: *Provided,* That any balance that may remain of the funds arising from the foregoing levies after the payment of all claims against the same may be applied by the County Commissioners of Lancaster County to any other claim against said County. The County Commissioners of Lancaster County are hereby authorized and required to levy a special tax of four (4) mills in Pleasant Hill Township, in the County of Lancaster, to meet the interest on the bonds issued by said township in aid of the Charleston, Cincinnati and Chicago Railroad Company; and the said County Commissioners are hereby further authorized to borrow a sum of money sufficient to pay the interest on said bonds promptly at maturity, at a rate of interest not to exceed eight (8) per cent. per annum, and to pledge the special levy of four (4) mills for the payment of the money so borrowed: *Provided,* They shall find it necessary to borrow money to pay said interest promptly at maturity.

Lancaster 7 mills.

Appropriation of balances.

Special Township levies.

Loan to pay interest on R. R. bonds.

Proviso.

For the County of Marion, for ordinary County expenses, three (3) mills: *Provided,* That the County Commissioners of Marion County be, and they are hereby, authorized and empowered to borrow money at any rate of interest allowed by law to the extent of two-thirds (⅔) of total taxes assessed against said County for County purposes, and to pledge the taxes of said County for such moneys as from time to time may be borrowed for actual need of said County. That the County Treasurer and County School Commissioner are hereby empowered and authorized to borrow, at any reasonable rate of interest now allowed by law, such sums of money as may be necessary to pay the school claims of said County, and pledge the taxes to be collected for that purpose for the payment of money so borrowed and the interest thereon: *Provided,* That the total amount so borrowed shall not exceed three-fourths of the total amount of taxes levied for school purposes.

Marion 3 mills.

Loan by County Commissioners.

Pledge of taxes.

Loan for school fund.

Proviso.

For the County of Marlboro, for ordinary County purposes, three and one-half (3½) mills; all claims to be paid in the order of their priority.

Marlboro 3½ mills.

For the County of Newberry, for ordinary County purposes, two and one-half (2½) mills. That the Treasurer of Newberry County is hereby required to transfer to the general County fund the sum of one hundred and twenty-four and seventy-five one-hundredths (124 75-100) dollars collected for commutation tax;

Newberry 2½ mills.

Transfer and refund.

A. D. 1893. and he is also required to refund to the taxpayers of Numbers One (1) and Eight (8) Townships the amounts collected from them to pay interest on bonds issued in aid of the Cincinnati, Charleston and Chicago Railroad; said amounts to be paid out of the money now in the Treasurer's hands, amounting to three hundred dollars.

Oconee 4 mills. *For the County of Oconee,* for ordinary County purposes, three (3) mills; for Court expenses for the year 1893, one mill.

Orangeburg 3 mills. *For the County of Orangeburg,* for ordinary County purposes, three (3) mills.

Pickens 9 mills. *For the County of Pickens,* for ordinary County purposes, three (3) mills; for railroad tax, four and one-half (4½) mills;

Temporary appropriation. for court house bonds, one and one-half (1½) mills. And the County Commissioners of Pickens County are also authorized to use the remainder of the tax assessed for railroad purposes for said County, after paying interest on the railroad bonds, for the purpose of retiring court house bonds; the same to be placed back to credit of railroad after tax assessed for court house bonds is collected.

Richland 3¼ mills. *For the County of Richland,* for ordinary County purposes, two and one-fourth (2¼) mills; for improvements and repairs on the court house and other public buildings, one-fourth (¼) of one mill, if so much be necessary; for the payment of jurors, witnesses and Constables' tickets for the fiscal year commencing November 1st, 1893, three-fourths (¾) of one mill; and in addition thereto there shall be levied a tax of two and one-half (2½)

Columbia School District tax. mills in the school district of Columbia in lieu of any special tax authorized to be levied by "An Act to provide for establishment of a new school district in Richland County and to authorize the levy and collection of a local tax therein," approved December 24th, 1884; and also an additional tax of three-fourths (¾) of

17 Stat., 404.

Columbia Township tax. one mill in Columbia Township for railroad purposes; and also an additional tax of one-fourth (¼) of one mill for a sinking fund

Proviso. for the purpose of retiring railroad bonds: *Provided,* That the County Commissioners shall not pay above par for said bonds.

Spartanburg 7¼ mills. *For the County of Spartanburg,* for ordinary County purposes, three (3) mills; for interest on railroad bonds, two and one-fourth (2¼) mills; for sinking fund, one (1) mill; for new court house, one and one-fourth (1¼) mills.

Sumter 4 mills. *For the County of Sumter,* for ordinary County purposes, two and three-fourths (2¾) mills; for past indebtedness, one-fourth (¼) of one mill; for the payment of the balance due on building

A. D. 1892.

of County jail, known as "Jail Tax," one (1) mill. That any balance that remains from the "Jail Tax," after paying all indebtedness incurred in erecting the jail, shall be used for deficiencies; and any balance remaining after paying deficiencies shall be used for ordinary County purposes. That the County Commissioners for Sumter County do pay out of the taxes collected for ordinary County purposes the sum of one hundred and fifty (150) dollars to the Treasurer of Sumter County for clerk hire during the present fiscal year.

Appropriation of balances.

Clerk hire to Treasurer.

For the County of Union, for ordinary County purposes, five (5) mills; for railroad bonds, other than the bonds of Lockhart Shoals Railway Company, three and one-half (3½) mills; to pay past indebtedness of following townships, viz.: Gowdeysville, Jonesville, Bogansville, Cross Keys, Goshen Hill, Fishdam, Union and Pinckney, for maps, charts, &c., for public schools, (2-5) two-fifths of one mill, to be apportioned out among the said townships in proportion to their indebtedness. And for interest on bonds of Lockhart Shoals Railroad Company, two and one-half (2½) mills for Jonesville township and two and one-half (2½) mills for Pinckney township. And the County Commissioners of Union County are authorized, in anticipation of the collection of the tax for interest on railroad bonds, and for ordinary County purposes, to borrow a sum of money equal to the amount of the levies for said purposes and to pledge the same for the amount so borrowed: *Provided*, That they borrow said amount at a rate not to exceed seven (7) per cent. per annum.

Union 8½ mills.

Special Township levies.

Loan by County Commissioners.

Pledge of taxes.

Rate of interest.

For the County of Williamsburg, for ordinary County purposes, four and one-half (4½) mills; and the County Commissioners of Williamsburg County are hereby authorized to borrow two thousand (2,000) dollars for the purpose of paying jurors, witnesses and Constables for the Courts of General Sessions and Common Pleas of the fiscal year 1892 and 1893, and to pledge therefor the levy made for ordinary County purposes, and to pay a rate of interest not exceeding eight (8) per cent. per annum on such loans; after paying jurors, witnesses and Constables, if there remain a balance of said fund, the same to be applied to any outstanding indebtedness. That the County Commissioners be further authorized to apply all surplus funds in their hands arising from the ordinary County fund collected in the years 1891 and 1892 to the payment of any outstanding claims against the County, including the claim of the Central National Bank of Columbia, S. C.

Williamsburg 4½ mills.

Loan by County Commissioners.

Pledge of taxes.

Rate of interest

Appropriation of surplus.

A. D. 1892.

York 4 mills.

For the County of York, for ordinary County purposes, three (3) mills; for interest on bonds issued by York County in aid of Chester and Lenoir Narrow Gauge Railroad, and for retiring said bonds, one (1) mill; and the County Commissioners are hereby further authorized and directed to borrow a sufficient sum of money, not exceeding ten thousand (10,000) dollars, to rebuild the court house at Yorkville, at a rate of interest not exceeding eight (8) per cent. per annum; and to pledge the levies for ordinary County purposes for the payment of the money so borrowed. The County Commissioners of York County are hereby also authorized to levy a special tax to meet the interest on the bonds issued in aid of the Cincinnati, Charleston and Chicago Railroad Company in the following townships, to wit: In Catawba township, four (4) mills; in Cherokee township, three (3) mills; in Ebenezer township, four (4) mills; in York township, five and four-fifths (5 4-5) mills; and the County Commissioners of York County are hereby authorized and (in the event they find it necessary) empowered to borrow, at a rate of interest not exceeding eight per cent. per annum, a sum of money sufficient to pay the judgment of P. P. Dickson against York township.

Loan to rebuild Court House.

Pledge of taxes.

Special Township levies.

Profits of Penitentiary to be paid into State Treasury.

SEC. 3. That the Board of Directors of the State Penitentiary are hereby directed to pay into the treasury of the State at the end of each month, or within five days thereafter, all amounts received by them from the hire of convicts and from other sources, after first paying the necessary expenses of the said institution and all other disbursements authorized by law, the said amounts so paid into the treasury to be held subject to warrants of the Comptroller-General to pay amounts appropriated by the General Assembly in the same manner as other funds in the treasury. And the Board of Directors are hereby instructed, as far as practicable, in hiring out or working convicts, to hire or work the same on farms in healthy locations and which are exempt from danger of overflow.

Location of convicts.

Deposit of State moneys.

SEC. 4. That all the proceeds of the taxes levied for and on account of the State, as specified herein, shall be deposited and kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Governor, the Comptroller-General and the State Treasurer, or any two of them, shall afford sufficient protection to the interests of the State.

Auditors and Treasurers to collect taxes.

SEC. 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the

direction and supervision of the Comptroller-General, to make collections of the taxes levied under and pursuant to the provisions of this Act in the manner and at the time and under the conditions hereinafter provided, and they are hereby forbidden to collect any other tax whatsoever levied for the fiscal year unless herein expressly authorized so to do, except the taxes authorized by law to meet the interest and retire the bonds issued by Counties and townships in aid of railroads, or taxes voted by towns or Counties, or assessed upon townships as subscriptions to railroads, and taxes to build fences under statutes authorizing and directing the same, and except, also, the special school tax authorized to be levied in any school district of the State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly. And the County Treasurers of the several Counties of this State are hereby prohibited from collecting any tax except such as have been first entered on the tax duplicates of their respective Counties, or upon the orders of the Auditors of said Counties: *Provided*, That said County Treasurers shall furnish the County Auditor of their respective Counties with the names of all taxpayers as may apply to pay their taxes against whom no taxes shall have been entered on the tax duplicates. And any State or County officer who shall fail to comply with, or shall evade or attempt to evade, the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by fine not to exceed five thousand dollars, or imprisonment for a period of not more than five years, or both, in the discretion of the Court.

No other tax to be collected except, &c.

All taxes to be on duplicate.

List of taxpayers not on duplicate.

Penalties for violations of this Act.

Poll tax.

SEC. 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed or from other causes, and except those who are now exempt by law, shall be deemed taxable polls; and should any person fail or refuse to pay said poll tax, he shall be deemed guilty of a misdemeanor, and on conviction of the same before any Trial Justice or other Court having jurisdiction thereof shall be punished by a fine which shall not exceed ten dollars, together with the cost of said suit, or by imprisonment in the County jail for a term not exceeding thirty days.

Who liable.

Penalty for non-payment.

In what funds payable.

SEC. 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds and no other:

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Gold and silver coin, United States currency, National Bank notes, and coupons which shall become due and payable during the year 1893 on the consolidated bonds of this State known as "Brown Bonds," and the bonds of this State known as "Blue Bonds," and on any other State bonds which may be issued by authority of an Act of the General Assembly, the coupons of which are by such Act made receivable for taxes: *Provided, however*, That jury certificates and the per diem of State witnesses in the Circuit Court shall be receivable for County taxes, not including school taxes.

Jury and witness certificates.

When payable.

SEC. 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the thirty-first day of December, 1893, and in no event shall an extension beyond the time herein prescribed be granted, and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.

Receipts.

Notice to be given by County Treasurers.

SEC. 9. That the County Treasurers immediately upon the receipt of the tax duplicate for the year from the County Auditors shall cause a notice to be inserted twice in one daily newspaper published at the County seat of their County, and if no daily paper be published at such County seat, then in one weekly paper published in such County seat, and if no paper be published in the County then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate for the present fiscal year; and if any special levies have been made on the property of a school or other district not affecting an entire County, the total rate of levies in such districts shall also be stated in such notice.

Collection from delinquents.

SEC. 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the thirty-first day of December, 1893, the County Treasurer shall proceed to collect the same, together with the penalty of fifteen per centum on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the fifteenth day of January, 1894, or collected by distress or otherwise, then the same shall be treated as delinquent

taxes on such real and personal property, and shall be collected by sale of such real and personal property according to law.

Sale of property.

Personal property delinquent.

SEC. 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as provided by law.

Real property delinquent.

SEC. 12. That all real property returned delinquent by the County Treasurer upon which the taxes shall not be paid by distress and sale of personal property, or otherwise, shall be seized and sold as provided by law: *Provided*, That distress and sale of personal property shall not be a condition precedent to the seizure and sale of any real property hereunder.

School tax.

SEC. 13. That the County Commissioners in each of the several Counties of this State shall levy a tax of two mills on the dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, which shall be collected at the same time and by the same officers as the other taxes for this year, and shall be held in the County treasuries of the respective Counties, and paid out exclusively for the support of public schools, as provided by law.

Mines and mining claims.

SEC. 14. That all personal property used in connection with mines and mining claims, and all lands not actually mined connected with mines and mining claims, shall be assessed for taxation and be taxed as is done in the case of other personal and real estate. That in all cases where land is actually mined, such land shall not be assessed for taxation or taxed, but in lieu therefor the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined.

Governor and Treasurer may borrow.

SEC. 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be, and they are hereby, empowered to borrow on the credit of the State so much money as may be needed to meet promptly at maturity the interest which shall mature during the year 1893 on the valid debt of the State, and to pay the current expenses of the State government for the present fiscal year: *Provided*, That the sum so borrowed shall in no event exceed the amount of three hundred thousand ($300,000) dollars.

Limit.

When to take effect.

SEC. 16. That this Act shall take effect from and immediately after its approval.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 25.

AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1st, 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the ordinary expenses of the State government for the fiscal year commencing November 1st, 1892:

General appropriation clause.

EXECUTIVE DEPARTMENT.

Executive Department.

SEC. 2. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows:

Governor's Department.

2. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, fifteen hundred dollars; for the salary of the Governor's Messenger, four hundred dollars; for the contingent fund of the Governor for rewards and other purposes, five thousand dollars; for stationery and stamps for the Governor, two hundred and fifty dollars.

Secretary of State's Department.

3. For the salary of the Secretary of State, twenty-one hundred dollars; for the salary of the Clerk of the Secretary of State, fifteen hundred dollars; for the contingent fund of the Secretary of State, one hundred and seventy-five dollars; for stationery and stamps for the Secretary of State, two hundred and twenty-five dollars.

Comptroller General's Department.

4. For the salary of the Comptroller-General, twenty-one hundred dollars; for the salary of the Chief Clerk of the Comptroller-General, fifteen hundred dollars; for the salary of the Bookkeeper of the Comptroller-General, fifteen hundred dollars; for the contingent fund of the Comptroller-General, two hundred dollars; for stationery and stamps for the Comptroller-General, two hundred and fifty dollars; for printing for the Comptroller-General, two hundred dollars; for the use of the Comptroller-General in examining the books and papers and accounts pertaining to the offices of the Auditors and Treasurers of the respective Counties, as required by law, (Section 224 of the General Statutes,) three hundred dollars, if so much be necessary, to be paid upon the warrant of the Comptroller-General, who shall file as vouchers itemized statements of the actual expenses

Vouchers of inspection expenses.

incurred in each inspection, sworn to by the person making the inspection.

State Treasurer's Department.

5. For the salary of the State Treasurer, twenty-one hundred dollars; for the salary of the Chief Clerk of the State Treasurer, fifteen hundred dollars; for the salary of the Bookkeeper (Loan Department) of the State Treasurer, fifteen hundred dollars; for the salary of the General Bookkeeper of the State Treasurer, fifteen hundred dollars; for the contingent fund of the State Treasurer, two hundred dollars; for stationery and stamps for the State Treasurer, two hundred dollars.

State Superintendent of Education's Department.

6. For the salary of the Superintendent of Education, twenty-one hundred dollars; for the salary of the Clerk of the Superintendent of Education, twelve hundred dollars; for the contingent fund of the Superintendent of Education, fifty dollars; for stationery and stamps for the Superintendent of Education, one hundred and fifty dollars; for printing books and blank forms for the use of the public schools, four hundred dollars; for the traveling expenses of the State Superintendent of Education and the State Board of Examiners and board of the members of said Examining Board, three hundred dollars, if so much be necessary: *Provided,* That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly.

Traveling expenses.

Itemized statement.

Adjutant and Inspector General's Department.

7. For the salary of the Adjutant and Inspector-General, fifteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector-General, twelve hundred dollars; for the salary of the State Armorer, five hundred dollars; for the contingent fund of the Adjutant and Inspector-General, one hundred dollars; for stationery and stamps for the Adjutant and Inspector-General, one hundred dollars; for collecting arms, freight, advertising, printing, expenses of inspections, purchasing missing parts of arms and ammunition, five hundred dollars, if so much be necessary.

Military companies.

8. For the purpose of assisting companies to maintain their organizations, ten thousand dollars, to be distributed by the Adjutant and Inspector-General in accordance with the provisions of the militia laws of the State, if so much be necessary, to be paid on the order of the Adjutant and Inspector-General upon the warrant of the Comptroller-General.

Attorney General's Department.

9. For the salary of the Attorney-General, twenty-one hundred dollars; for the salary of the Assistant Attorney-General, fifteen hundred dollars; for the contingent fund of the Attorney-

A. D. 1882.

General, one hundred and fifty dollars; for stationery and stamps for the Attorney-General, seventy-five dollars; for the expenses of litigation, one thousand dollars, if so much be necessary; and the Attorney-General is hereby authorized and required to conduct all litigations which may be necessary for any of the Departments of the State government or any of the Boards connected therewith, and all such Departments or Boards are hereby forbidden to employ any counsel for any purpose except through the Attorney-General and upon his advice: *Provided*, That this provision shall not apply to suits pending prior to December 22nd, 1882: *Provided, further*, That out of the litigation fund the Attorney-General shall also pay for dockets and blank indictments for the several Circuit Solicitors and such other expenses incidental to prosecutions he may deem advisable.

Attorney General to conduct all litigation.

Provisoes.

Dockets and indictments for Solicitors.

State Librarian.

10. For the salary of the State Librarian, one thousand dollars; for the contingent fund of the State Librarian, one hundred and twenty-five dollars; for stationery and stamps for the State Librarian, two hundred and fifty dollars; for purchasing books for the State Library, four hundred dollars, if so much be necessary, to be expended by the State Librarian under the direction of the Chairman of the Committees on Legislative Library of the Senate and House.

State House Keeper and grounds.

11. For the salary of the State House Keeper, five hundred dollars; for the contingent fund of the State House Keeper, for work on State House grounds, one hundred dollars, if so much be necessary: *Provided*, That the Superintendent of the Penitentiary be required, whenever called on by the Keeper of the State House, to furnish such convict labor as he may need to keep said grounds in good order.

Convict labor.

Watchmen.

12. For the salary of the two watchmen for the State House and grounds, eight hundred dollars.

Janitor.

13. For the salary of the Janitor of the State House, one hundred and sixty dollars.

Engineer and Assistants.

14. For the salary of J. R. Wilkerson, engineer of the State House heating apparatus (for seven months during the year), seventy-five dollars per month; for the salary of Henry Smith and D. L. Williamson, firemen of the State House heating apparatus (for seven months during the year), twenty-five dollars per month each, and the engineer be paid twenty-five dollars per month for the balance of the year for keeping in order the engine, boilers, &c.: *Provided*, That he attend to them at least once in every fifteen days; this amount to be in full of all charges for labor.

Proviso.

JUDICIAL DEPARTMENT.

A. D. 1892.

Judicial Department.

SEC. 3. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

Justices of Supreme Court.

2. For the salary of the Chief Justice, four thousand dollars; for the salary of the two Associate Justices, seven thousand dollars.

Circuit Judges.

Solicitors.

Stenographers.

3. For the salaries of the eight Circuit Judges, twenty-eight thousand dollars; for the salaries of the eight Circuit Solicitors, twelve thousand five hundred dollars; for the pay of the Stenographers of the Circuit Courts, ten thousand dollars.

Clerk of Supreme Court.

State Reporter.

Librarian and Messenger.

Contingent fund.

Books.

Attendant.

4. For the salary of the Clerk of the Supreme Court, one thousand dollars; for the salary of the State Reporter, one thousand dollars; for the salary of the Librarian of the Supreme Court, eight hundred dollars; for the pay of the Messenger of the Supreme Court, two hundred and fifty dollars; for the contingent fund of the Supreme Court, five hundred dollars; for the purchasing of books for the Supreme Court Library, seven hundred and fifty dollars; for salary of Attendant on Supreme Court, two hundred (200) dollars; for reimbursement to Supreme Court Judges for money advanced by them to pay salary of attendant for the year 1892, two hundred and fifty (250) dollars.

S. C. Reports.

5. For purchasing one hundred copies each of the 36, 37 and 38 Volumes of the Supreme Court Reports, thirteen hundred and fifty dollars.

HEALTH DEPARTMENT.

Health Department.

SEC. 4. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows:

Charleston.

2. For the salary of the Quarantine Officer of Charleston, eighteen hundred dollars; for the expenses of maintaining Quarantine Station, Charleston harbor, one thousand dollars.

St. Helena.

3. For the salary of the Quarantine Officer at St. Helena, eight hundred dollars; for expenses of Quarantine Station at St. Helena, one hundred and fifty dollars.

Port Royal.

4. For the salary of the Quarantine Officer at Port Royal, eight hundred dollars; for the expenses of Quarantine Station at Port Royal, three hundred dollars; for the salary of the Keeper of the hospital buildings at Port Royal, two hundred dollars.

Georgetown.

5. For the salary of the Quarantine Officer at Georgetown, five

A. D. 1892. hundred dollars; expenses of Quarantine Station at Georgetown, one hundred and fifty dollars.

Lazaretto. 6. For the salary of the Keeper of the Lazaretto, four hundred dollars.

State Board of Health. 7. For the purpose of carrying out the provisions of the Act establishing a State Board of Health, fifteen hundred dollars, if so much be necessary.

Contagious diseases. 8. For the purpose of carrying out the provisions of an Act for quarantining the State against contagious and infectious disease, three thousand dollars, to be expended under the supervision, and by the consent, of the Governor.

Tax Department.

Tax Department. SEC. 5. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows:

Auditors. 2. For the salaries of the County Auditors, twenty-two thousand dollars.

Printing books. 3. For printing books, &c., for the County Auditors and Treasurers, two thousand and five hundred dollars.

South Carolina University.

South Carolina University. SEC. 6. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University, namely:

South Carolina College. 2. For the support of the schools in the South Carolina College at Columbia, thirty thousand dollars, to include ordinary repairs, general expenses, improvement of buildings, and for the library and salary of Librarian, to be paid upon the application of the Board of Trustees on the warrant of the Comptroller-General.

Claflin College. 3. For the Claflin College at Orangeburg, to be paid on the application of the Board of Trustees of the South Carolina University on the warrant of the Comptroller-General, three thousand dollars.

Citadel Academy. 4. For the support of the beneficiary cadets at the Citadel Academy, twenty thousand dollars, to be paid on the warrants of the Comptroller-General, issued upon the requisition of the Chairman of the Board of Visitors of said Academy.

Winthrop Training School 5. That the sum of seven thousand two hundred and fifty dollars, if so much be necessary, be, and the same is hereby, appropriated for the scholarships provided by law for the Winthrop Training School for the scholastic year beginning in September, 1893, and ending in June, 1894.

Clemson Agricultural College.

Privilege tax.

Sec. 7. For the maintenance of Clemson Agricultural College, the proceeds of the privilege tax on fertilizers, after paying the expenses of collecting same, already and hereafter to be collected, for and during the fiscal year beginning November 1st, 1892, and also the income arising from the devise and bequest of the late Thomas G. Clemson, accepted by the State, and fifty thousand dollars, the amount provided for in a special appropriation Act passed at this session of the Legislature, be, and the same are hereby, appropriated for the erection and maintenance of the Clemson College, the same to be paid by the State Treasurer to the Treasurer of the Board of Trustees of Clemson College on the application of said Board of Trustees on the warrant of the Comptroller-General; also eleven hundred and fourteen 52-100 dollars now in the State Treasury to the credit of the Department of Agriculture.

Income of Clemson devise and bequest. $50,000.

Ante 21.

To be paid to Trustees.

Appropriation of balance.

Penal and Charitable Institutions.

Appropriation.

Sec. 8. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions of this State, as follows:

South Carolina Penitentiary.

Officers of Penitentiary.

2. For the salary of the Superintendent of the Penitentiary, twenty-one hundred dollars; for the salary of the Captain of the Guard, twelve hundred dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, twelve hundred dollars; for the salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, six hundred dollars; for the salary of the Clerk of the Penitentiary, twelve hundred dollars; for which amount the Comptroller-General is authorized and directed to issue his warrants. That any balance in the hands of the Board of Directors of the South Carolina Penitentiary on October 31, 1892, together with all other amounts received or to be received from the hire of convicts, or from any other source, during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary, and for other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom

Income of Penitentiary.

Per diem and mileage of Directors.

A. D. 1892.

shall be entitled to receive five dollars per diem for each day of actual attendance on the meetings of said Board, and five cents per mile for the actual distance traveled by the most direct route going to and returning from the home of said Director to the place of meetings of said Board, and the annual report of the Superintendent of the South Carolina Penitentiary shall contain, in separate account, an itemized statement of the amount expended for account of said per diem and mileage, showing the amount paid to each Director on each of said accounts, two thousand dollars, if so much be necessary; for the current expenses of the Penitentiary, so much as may be necessary; for the purchase of arms and ammunition, two hundred dollars, if so much be necessary; for the purchase of Bibles, Testaments and other religious literature for the use of convicts, forty dollars.

Itemized statement.

Current expenses, arms, &c.

Bibles, etc.

South Carolina Lunatic Asylum.

Superintendent and Regents.

3. For the salary of the Superintendent and Physician of the Lunatic Asylum, three thousand dollars; for the per diem and mileage of the Board of Regents of the Lunatic Asylum, each of whom shall be entitled to receive five dollars per day for each day actually engaged in attending the meetings of said Board and mileage of five cents per mile for each mile actually traveled, fifteen hundred dollars, if so much be necessary; for the current expenses in support of the Lunatic Asylum, one hundred thousand dollars, one thousand dollars of which may be used for the improvement of the sanitary condition of the water closets; and for patients' library, one hundred and fifty dollars, to be paid as other appropriations.

Current expenses.

Water closets.

Library.

The Deaf, Dumb and Blind Asylum.

Cedar Springs Institute.

4. For the support of the Deaf, Dumb and Blind Asylum, seventeen thousand dollars, if so much be necessary; for insurance, eight hundred and fifty dollars, for three years; for repairs, five hundred dollars.

Catawba Indians.

Catawba Indians.

5. For the Catawba Indians, eight hundred dollars, to be paid upon the application of the Agent upon the warrant of the Comptroller-General: *Provided*, That said Agent, before receiving said warrant, enter into bond in the sum of sixteen hundred dollars, with security to be approved by the Governor, for the faith-

Agent to give bond.

ful discharge of his duty in the disbursement of any funds which may hereafter come into his hands: *Provided, further,* That the said fund be distributed among the Catawba Indians living in South Carolina. A. D. 1892. Proviso.

MISCELLANEOUS.

SEC. 9. 1. That the following sums, if so much be necessary, be, and the same are hereby. appropriated for miscellaneous expenses, as follows: Appropriation.

2. For the Civil Contingent Fund, five hundred dollars, to be paid on the order of the Governor, upon the warrant of the Comptroller-General. Civil Contingent Fund.

3. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9th, 1882, one thousand dollars, to be paid on the warrants of the Comptroller-General issued in accordance with the provisions of said Act. Water in public buildings. 17 Stat., 944.

4. To pay the expenses of the Joint Committee of the two Houses appointed to examine the books of the State Treasurer for the two fiscal years ending October 31st, 1892, three hundred dollars, if so much be necessary. Committee to examine Treasurer's books.

5. For defraying the expenses of the continuance of the consolidation of the bonded debt of the State, as provided by law, one thousand dollars, if so much be necessary, the sum to be paid on the application of the State Treasurer, upon the warrants of the Comptroller-General. Consolidation of bonded debt.

6. To pay the claims passed by the General Assembly at its regular session of 1892, three thousand dollars, if so much be necessary, to be paid by the State Treasurer upon the warrants of the Comptroller-General. To pay the claim of J. D. Maxwell for services rendered as Deputy Supervisor for Anderson County, passed by the General Assembly at its session in 1890, one hundred dollars. Claims.

7. To pay for the public printing of this fiscal year, twenty thousand dollars, if so much be necessary. Public printing.

8. For the salaries of the Railroad Commissioners, six thousand three hundred dollars; for the salary of the Clerk of the Railroad Commissioners, twelve hundred dollars, and three hundred and fifty dollars to pay the contingent expenses of the office for the fiscal year commencing November 1st, 1892, if so much be necessary, to be advanced by the State until the same shall have been collected from the railroad companies of this State, in the Railroad Commission.

A. D. 1892.

manner prescribed by law, and when collected the same shall be replaced in the State Treasury.

Supervisors of Registration.

9. For the salaries of the Supervisors of Registration, three thousand six hundred dollars; that is to say, to pay the Supervisor of Registration for each County in the State, except Charleston County, the sum of one hundred dollars for the services to be rendered during the fiscal year commencing November 1st, 1892; and to the Supervisor of Registration for Charleston County the sum of two hundred dollars for services to be rendered during the same period, said amount to be paid one-half on the 1st day of June, 1893, and the remaining one-half on the 1st day of November, 1893, out of any money in the Treasury not otherwise appropriated.

Transportation of convicts.

10. For the transportation of convicts to the Penitentiary from the several Counties of this State, three thousand dollars, if so much be necessary, to be paid on the application of the Superintendent of the Penitentiary, approved by the Board of Directors, upon the warrants of the Comptroller-General.

Governor's Mansion.

11. For repairs and improvements to the Governor's Mansion and for insurance and lighting of the same, twelve hundred and fifty dollars, if so much be necessary, to be paid on the order of the Governor, upon the warrant of the Comptroller-General.

Lighting State House.

12. For paying for lighting the State House and grounds, twelve hundred ($1200) dollars, is so much be necessary.

Fuel.

13. To pay for fuel for the purpose of heating the State House, nine hundred dollars, if so much be necessary.

Pensions.

14. For the purpose of an Act entitled "An Act to provide for the relief of certain soldiers, sailors and widows of soldiers or sailors of the late war between the States," approved December 24th, A. D. 1887, or Acts amendatory thereto, and clerical expenses incident thereto not to exceed four hundred dollars, and one hundred and twenty dollars additional for necessary stationery and postage expenses incident thereto, fifty thousand dollars, if so much be necessary, said appropriation, except as to clerical expenses, to be paid at such times during the current fiscal year as may be designated by the State Board of Pensioners: *Provided*, That the Pension Board shall, before paying out any of the amount hereby appropriated, revise the whole list of pensioners and pay only those found to be in actual need of support whose names are now on the list or may hereafter be put thereon: *Provided, further*, That the Governor be, and he is hereby, authorized to borrow from time to time such amounts as may be

19 Stat., 826.

Clerical expenses, &c.

Revision of lists.

Loan.

A. D. 1892.

necessary to meet this appropriation: *Provided, further,* That the Comptroller-General is authorized to issue his warrant to the Clerks of Court of the several Counties for such amounts as may be determined as belonging to the pensioners of such County, to be by him disbursed according to law.

Warrants to County Clerks of Court.

15. To pay the salary of the Index Clerk in the Secretary of State's office, twelve hundred dollars, to be paid as provided in Joint Resolution to provide for the indexing of all records in the office of Secretary of State, approved December 23rd, A. D. 1889.

Index Clerk.

20 Stat., 294.

For expenses of Phosphate Commission, two thousand and five hundred (2,500) dollars; for books and certificates of Registration, one hundred and fifty (150) dollars; for repairs on Beaufort State Arsenal, one hundred (100) dollars.

Phosphate Commission.

16. For the payment of services rendered and to be rendered by assistant counsel Samuel Lord and Ira B. Jones in prosecuting the cases in behalf of the State known as the railroad cases, two thousand five hundred ($2,500.00) dollars: *Provided,* This sum shall be in full payment of all services rendered in above cases.

Special counsel in litigation.

17. To pay Drury L. Lumsden, a disabled invalid Confederate soldier, as a pension, the sum of one hundred dollars, and the same shall be paid by the State Treasurer out of any funds in his hands not otherwise appropriated, upon the warrant of the Comptroller-General.

Drury L. Lumsden.

18. For the per diem of the Fish Patrol on Waccamaw, Pee Dee, Bull Creek Rivers and Winyah Bay, as provided by law, the sum of five hundred and twenty-five (525) dollars.

Fish patrol.

20 Stat., 1118.

Interest on the Public Debt.

Sec. 10. That the sum of three hundred and seventy-five thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July, 1893, and for unpaid interest payable in prior years.

Interest on valid debt.

Sec. 11. That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be paid in monthly installments and shall be paid upon the warrants of the Comptroller-General, and the amounts specified for contingent funds and stationery as shall be required shall be paid upon the warrants of the Comptroller-General on the application of the various officers entitled to the same: *Provided,* That the accounts and vouchers upon which said applications are made shall be filed

Salaries to be paid monthly.

How paid.

Vouchers to be filed.

A. D. 1892.

with the Comptroller-General before issuing his warrants on the State Treasurer for same; and that for the amounts required by the various officers for the purchase of stamps the Comptroller-General is hereby authorized to issue his warrant to said officer.

Stamps.

Moneys to be accounted for by public officers.

SEC. 12. That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State government shall be duly accounted for, and such officer shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before the first day of December, 1893: *Provided*, That no officer authorized to make contracts or draw funds from said appropriations shall expend or make contracts for expending more than has been specified for any purpose by this Act.

No contract to exceed appropriation.

Compensation not to exceed salaries fixed by law.

SEC. 13. That in the event that salaries or other compensation for services now provided for by law for officers, clerks and other persons, for which appropriation is herein made, shall be fixed by law at other rates than those herein provided for, only so much of the sums hereinbefore appropriated shall be paid as may be necessary to conform to the law applicable to such salaries or compensation.

When to take effect.

SEC. 14. That this Act shall take effect from and immediately after its approval.

Repealing clause.

SEC. 15. That all Acts and Joint Resolutions or parts of Acts and Joint Resolutions inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 26. AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM, MILEAGE, AND STATIONERY CERTIFICATES OF THE MEMBERS OF THE GENERAL ASSEMBLY, THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES THEREOF, AND FOR OTHER PURPOSES HEREIN NAMED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the General Assembly at its regular session beginning on the twenty-second

General appropriation.

day of November, 1892, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act, that is to say: A. D. 1892.

SENATE.

SEC. 2. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Senate from the twenty-second day of November, 1892, inclusive, to the close of the session, as follows: Senate expenses.

For the per diem, mileage and stationery certificates of the members of the Senate and the presiding officer thereof, if so much be necessary, seven thousand and five hundred dollars; for the pay of Sampson Pope, Clerk of the Senate, one thousand dollars; for the pay of R. M. McCown, Assistant Clerk of the Senate, two hundred and fifty dollars; for the pay of J. Y. Jones, Journal Clerk of the Senate, one hundred and sixty-five dollars, and four dollars per day for the number of days he may be actually engaged in the work of the Senate after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the said Journal Clerk; for the pay of F. C. Caughman, Reading Clerk of the Senate, two hundred and fifty dollars; for the pay of J. C. Elliott, Sergeant-at-Arms of the Senate, two hundred and fifty dollars; for the pay of W. J. Moore, Bill Clerk of the Senate, one hundred and sixty-five dollars; for the pay of B. McLure, Clerk of the Judiciary Committee of the Senate, one hundred and sixty-five dollars; for the pay of J. H. Thomas, Clerk of the Finance Committee of the Senate, one hundred and sixty-five dollars; for the pay of W. H. Meetze, Clerk of Committee of Roads, Bridges and Ferries, one hundred and sixty-five dollars; for the pay of J. W. Boyd, General Committee Clerk of the Senate, one hundred and sixty-five dollars; for the pay of H. B. Crossland, Clerk of the Committees on Railroads and Incorporations of the Senate, one hundred and sixty-five dollars; for the pay of Thomas Whittle, W. B. Going, John W. Rector and H. R. McManus, Doorkeepers of the Senate, each, ninety-nine dollars; for the pay of David Irons, Mingo White and Sam Austin, Laborers of the Senate, each, sixty-six dollars; for the pay of Calhoun Butler, Porter in the office of the Clerk of the Senate, and Keeper of the President of the Senate's room, ninety-nine dollars; for the pay of J. A. Carnes and W. W. Lazzenberry, Porters to the Committee Rooms of the Senate, each, sixty-six dollars; for the pay of W. L. President and members. Clerk and Assistant. Journal Clerk. Reading Clerk. Sergeant-at-Arms. Bill Clerk. Committee Clerks. Doorkeepers. Laborers and other employees Pages.

A. D. 1892.

Hemphill and John Davis, Pages of the Senate, each, sixty-six dollars; for the pay of N. O. Pyles, Mail Carrier of the Senate, ninety-nine dollars; for the pay of Rev. P. Pinckney Blalock, Chaplain of the Senate, fifty dollars; for the incidental or contingent fund of the Senate, six hundred dollars, if so much be necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate on accounts audited by the Committee on Contingent Accounts and passed by the Senate: *Provided*, That no part of said contingent fund be used in giving extra pay to any of the employees of the Senate.

Mail Carrier.

Chaplain.

Contingent fund.

No extra pay.

HOUSE OF REPRESENTATIVES.

Expenses of House of Representatives.

SEC. 3. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the House of Representatives from the twenty-second day of November, 1892, inclusive, to the close of the session, as follows:

Members.

For the per diem, mileage and stationery certificates of the members of the House of Representatives, twenty-six thousand and five hundred dollars; for the pay of J. Walter Gray, Clerk of the House of Representatives, one thousand dollars; for the pay of S. W. Vance, Assistant Clerk of the House of Representatives, two hundred and fifty dollars; for the pay of Geo. R. Koester, Journal Clerk of the House of Representatives, one hundred and sixty-five dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by said Journal Clerk; for the pay of D. B. Puerifoy, Reading Clerk of the House of Representatives, sixty and sixty one-hundredth dollars; for the pay of J. S. Withers, Reading Clerk of the House of Representatives, one hundred and eighty-nine and forty one-hundredth dollars; for the pay of N. H. Stansell, Sergeant-at-Arms of the House of Representatives, two hundred and fifty dollars; for the pay of T. C. Hamer, Bill Clerk of the House of Representatives, one hundred and sixty-five dollars; for the pay of S. W. Scruggs, Clerk of the Committee of Ways and Means of the House of Representatives, one hundred and sixty-five dollars; for the pay of H. M. Davidson, ex-Clerk of the Committee of Ways and Means of the House of Representatives, for work done after the adjournment of the General Assembly of 1891, forty dollars; for the pay of W. H. McFeat, Clerk of the Judiciary Committee of the House of Representatives, one hundred and

Clerk and Assistant.

Journal Clerk.

Reading Clerk.

Sergeant-at-Arms.

Bill Clerk.

Committee Clerks.

A. D. 1892.

sixty-five dollars; for the pay of F. A. Carwile, Clerk of Committee of Incorporations, ninety-nine dollars; for the pay of C. H. Nixson, Clerk of the Committee on Claims and Enrolled Acts, one hundred and ninety dollars; for the pay of Richard R. Owings, Peter Sanders and Walter Nixson, Doorkeepers of the House of Representatives, each ninety-nine dollars; for the pay of Joseph J. Moorman, Wm. C. Elder, Geo. Swearinger and Beattie Perry, Pages of the House of Representatives, each sixty-six dollars; for the pay of Louis Butler, Wm. Young, Counts Cross and Casper Watts, Laborers of the House of Representatives, each sixty-six dollars; for the pay of West Oliphant, Jas. Adamson and Henry Wherry, Porters of the Committee Rooms of the House of Representatives, each sixty-six dollars; for the pay of Henry Stone, Keeper of the Speaker's Room and Porter to the House of Representatives, ninety-nine dollars, and ten dollars extra to James Adamson for extra services to the Committee on Agriculture; for the pay of A. C. Anderson, Mail Carrier of the House of Representatives, ninety-nine dollars; for the pay of Rev. E. A. Wingard, Chaplain of the House of Representatives, fifty dollars; for the incidental or contingent fund of the House of Representatives, five hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives: *Provided*, That no part of said contingent fund be used to give extra pay to any of the employees of the House of Representatives.

Doorkeepers.

Pages.

Laborers and other employees

Mail Carrier.

Chaplain.

Contingent fund.

No extra pay.

Engrossing Department.

Expenses of Engrossing Department.

Sec. 4. That the sum of three thousand five hundred and fifty-seven and 80-100 (3,557 80-100) dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the twenty-second day of November, 1892, inclusive, to the close of the session, as follows: For the pay of J. M. Johnson, P. H. Nelson, G. D. Bellinger, M. J. Hough, M. F. Ansel and John S. Wilson, each five dollars per day, for each day in attendance upon the session of the General Assembly, Solicitors in the (Engrossing Department) office of the Attorney-General; for the pay of F. F. Covington, H. C. Burn, B. F. Townsend, W. M. Hamer, E. M. Cooper, E. J. Alsobrooks, P. N. Timmerman, Edgeworth

Solicitors.

Clerks.

A. D. 1892.

Blythe, J. DuPre Alsobrook, W. H. Gaston, L. M. Haseldin, J. R. Hix, Callie Caughman, H. A. Johnson, Clerks in the (Engrossing Department) office of the Attorney-General, each five dollars per day. To pay the mileage of the Circuit Solicitors as follows: M. F. Ansel, twenty-eight and eighty one-hundredth (28 80-100) dollars; P. H. Nelson, thirteen (13.00) dollars; G. D. Bellinger, nineteen and twenty one-hundredth (19 20-100) dollars; M. J. Hough, twenty-one (21.00) dollars; John S. Wilson, twelve and twenty one-hundredth dollars; J. M. Johnson, twenty and sixty one-hundreth (20 60-100) dollars. For the pay of N. O. Pyles, Mail Carrier of the (Engrossing Department) office of the Attorney-General, fifteen dollars; for the pay of James Williams, Porter of the (Engrossing Department) office of the Attorney-General, sixty-six dollars; for the pay of Andrew Moffitt, Flag Keeper, sixty-six dollars; for the pay of Lewis Thomas, temporary special assistant to the Keeper of the State House, sixty-six dollars, to be paid on the joint certificate of both Houses of the General Assembly, signed by the presiding officers thereof and attested by the Clerks. For the incidental or contingent expenses of the Engrossing Department, two hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Accounts of the House of Representatives and passed by the House of Representatives.

Mileage of Solicitors.

Mail Carrier.

Porter.

Flag Keeper.

Special Assistant.

Contingent expenses.

MISCELLANEOUS.

SEC. 5. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely: For the pay of extra clerical services in the (Engrossing Department) office of the Attorney-General, two hundred and fifty dollars, to be paid on the joint certificates of the presiding officers of the two Houses of the General Assembly, signed by the presiding officers thereof and attested by the Clerks, upon the application of the Attorney-General. For preparing for the printer, indexing and making marginal notes of the Acts and Joint Resolutions of the regular session of the General Assembly of 1892, to be done under the supervision of the State Reporter, two hundred and fifty dollars.

Extra clerical services.

Preparing Acts for publication.

C. L. Blease.

To pay the claim of Coleman L. Blease, Chairman of the Committee on Privileges and Elections in the House of Representatives and *ex officio* a member of the State Board of Canvassers,

for per diem and mileage in canvassing returns of election held November 8th, 1892, $69 60-100. A. D. 1892.

To pay claim of S. C. Cartledge for services as clerk of State Board of Canvassers, $80.00. S. C. Cartledge.

SEC. 6. That the President of the Senate and the Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each member of the Senate and House of Representatives, and to each officer and employee of that branch of the General Assembly to which such officer and employee shall respectively belong, signed by the respective officer, and properly attested by the Clerks of such branch of the General Assembly. Pay certificates.

SEC. 7. That this Act shall take effect from and immediately after its date of approval, and all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are, for the purposes of this Act, hereby, repealed. When to take effect. Repealing clause.

Approved December 24th, A. D. 1892.

AN ACT TO PROHIBIT RECEIVING OR DISPENSING ALL KINDS OF SPIRITUOUS LIQUORS BY ANY CLUB, COMPANY, ASSOCIATION OR CORPORATION WITHOUT A LICENSE. No. 27.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be unlawful for any club, company, association or corporation, and for any chartered company now in existence, or hereafter to be incorporated, for social, literary or other purposes, within this State, to buy, sell, keep for sale, exchange, barter or dispense, without a license, any liquor, wine, beer, bitters or other intoxicating spirits for any purposes whatever, either to members or to other persons. Purchase, sale, &c., without license, prohibited.

SEC. 2. That any member or members knowingly belonging to any club, company, association, or corporation, which receives and dispenses intoxicating spirits contrary to the provisions of the foregoing Section shall be deemed guilty of a misdemeanor, and upon conviction thereof before a Trial Justice shall be fined in a sum not less than thirty nor more than fifty dollars, or im- Penalty for membership in offending club.

A. D. 1892.

prisonment in the County jail for a term not to exceed thirty days, for each and every offense.

Repealing clause.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 28. AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS AS A BEVERAGE WITHIN THIS STATE, EXCEPT AS HEREIN PROVIDED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the first day of July, A. D. 1893, the manufacture, sale, barter or exchange, or the keeping or offering for sale, barter, trade or exchange, within this State of any spirituous, malt, vinous, fermented or other intoxicating liquors, or any compound or mixtures thereof, by whatever name called, which will produce intoxication, by any person, business firm, corporation or association, shall be regulated and conducted as provided in this Act.

All dealings in liquor to be regulated by this Act.

Appointment of Commissioner.

SEC. 2. The Governor shall, within 30 days from the approval of this Act, appoint a Commissioner, and all subsequent appointments, which appointment shall be submitted to the Senate at its next session for its approval, believed by him to be an abstainer from intoxicants, who shall, under such rules and regulations as may be made by the State Board of Control, purchase all intoxicating liquors for lawful sale in this State, giving preference to manufacturers and brewers doing business in this State, and furnish the same to such persons as may be designated as dispensers thereof, to be sold as hereafter prescribed in this Act. Said Commissioner shall reside and have his place of business in the city of Columbia in this State, and hold his office two years from appointment, and until another is appointed in his stead, subject to removal for cause by the State Board of Control. He shall qualify and be commissioned the same as other State officers, and receive an annual salary of eighteen hundred dollars, payable at the same time and in the same manner as is provided for the payment of the salaries of the State officers. He shall be allowed a book-

Purchase of liquors.

Preference.

Location of Commissioner.

Term of office.

Removal.

Salary.

Bookkeeper.

keeper, who shall be paid in the same manner a salary of twelve hundred dollars, and such other assistants as in the opinion of the Board of Control may be deemed necessary. He shall not sell to the County Dispensers any intoxicating or fermented liquors except such as have been tested by the chemist of the South Carolina College and declared to be pure and unadulterated: *Provided*, That the said State Board of Control shall have authority to appoint such assistants as they may find necessary to assist the chemist of the South Carolina College in making the analysis required by this Act, and the said State Board of Control may fix such reasonable compensation, if any, as they may deem proper for the services rendered by such chemist or such assistants. The State Commissioner shall not receive from said County Dispensers for such liquors sold to them more than fifty per cent. above the net cost thereof, and all amounts so received by him from said sales shall be by him paid over to the Treasurer of the State monthly, under such rules as may be made by the State Board of Control to insure the faithful return of the same; and the State Treasurer shall keep a separate account with said fund, from which the Commissioner shall draw, from time to time, upon warrants duly approved by the said Board, the amounts necessary to pay the expenses incurred in conducting the business of said agency. All rules and regulations governing the said Commissioner in the purchase of intoxicating liquors, or in the performance of any of the duties of his office, where the same are not provided for by law, shall be prescribed by a State Board of Control, composed of the Governor, the Comptroller-General and the Attorney-General. He shall, before entering upon the duties of his office, execute a bond to the State Treasurer, with sufficient sureties, to be approved by the Attorney-General, in the penal sum of ten thousand dollars, for the faithful performance of the duties of his office. In all purchases or sales of intoxicating liquors made by said Commissioner, as contemplated in this Act, the Commissioner shall cause a certificate to be attached to each and every package containing said liquors, when the same is shipped to him from the place of purchase, or by him to the County Dispensers, certified by his official signature and seal, which certificate shall state that the liquors contained in said package have been purchased by him for sale within the State of South Carolina, or to be shipped out of the State, under the laws of said State, and without such certificate any package containing liquors which shall be brought into the State or shipped out of the

A. D. 1892.

Other assistants.

Test of liquors.

Chemist and assistants.

Compensation.

Profit to Commissioner.

To be paid to State Treasurer.

Account by State Treasurer.

Expenses.

Rules and regulations.

State Board of Control.

Bond of Commissioner.

Certificate on packages.

Shipment without certificate.

A. D. 1892.

State, or shipped from place to place within the State, by any railroad, express company or other common carrier shall be regarded as intended for unlawful sale, and upon conviction thereof such common carrier shall be liable in a penalty of five hundred dollars for each offense, to be recovered against said common carrier in any Court of competent jurisdiction by complaint proceedings to be instituted by the Solicitor for any circuit, with whom evidence of the violation may be lodged by any citizen having knowledge or information of the violation; and any person knowingly attaching or using such certificates without the authority of the Commissioner, or any counterfeit certificate for the purpose of securing the transportation of any intoxicating liquors into, out of or within this State, in violation of law, shall upon conviction thereof be punished by a fine of not less than five hundred dollars and imprisonment in the Penitentiary for not less than one year for each offense. Said Commissioner shall make a printed quarterly statement under oath, commencing August 1st, 1893, of all liquors sold by him, enumerating the different kinds and quantity of each kind, the price paid and the terms of payment, and to whom sold. Also, the names of the parties from whom the liquor was purchased, and their place of business and date of purchase, which statement shall be filed with the State Board of Control: *Provided*, This Section shall not apply to malt liquors shipped in cases, or bottles thereof shipped in barrels.

Penalties.

Proceedings by Solicitor.

Unlawful certificates.

Penalties.

Quarterly statement.

Filing.

Malt liquors.

Size of packages.

SEC. 3. The State Commissioner shall before shipping any liquor to County Dispensers cause the same to be put into packages of not less than one-half pint nor more than five gallons, and securely seal the same, and it shall be unlawful for the County Dispenser to break any such package or open the same for any reason whatever. He shall sell by the package only, and the purchaser shall not open the same on the premises.

To be kept sealed.

To be sold and removed in packages.

SEC. 4. It shall be the duty of the State Board of Control to appoint a County Board of Control composed of three persons, believed by said Board not to be addicted to the use of intoxicating liquors, who shall hold their office for a term of two years, and until their successors are appointed. Said County Board of Control shall be subject to removal for cause by the State Board of Control. Said County Board shall make such rules as will be conducive to the best management of the sale of intoxicating liquors in their respective Counties: *Provided*, All such rules shall be submitted to the State Board and approved by them before adoption. Said County Board of Control shall qualify

County Board of Control.

Removal.

Rules.

Proviso.

Qualification and commission

and be commissioned the same as other officers without fees therefor. A. D. 1892.

SEC. 5. If any County Dispenser, or his clerk, shall purchase any intoxicating liquors from any other person or persons except the State Commissioner, or if he or they, or any person or persons in his or their employ, or by his or their direction, shall sell or offer for sale any liquors other than such as have been purchased from the State Commissioner, or shall adulterate or cause to be adulterated any intoxicating, spirituous or malt liquors which he or they may keep for sale under this Act, by mixing with the same any coloring matter, or any drug or ingredient whatever, or shall mix the same with other liquors of different kind or quality, or with water, or shall sell or expose for sale such liquors so adulterated, knowing it to be such, he or they shall be guilty of a misdemeanor and be fined in a sum of not less than two hundred dollars or imprisonment in the County jail for not less than six months.

Penalties on County Dispensers.

Unlawful purchase or sale.

Adulteration.

Mixing liquors.

Punishment.

SEC. 6. That on and after the first day of July, 1893, no person, firm, association or corporation shall manufacture for sale, sell, keep for sale, exchange, barter or dispense any intoxicating liquors for any purpose whatever, otherwise than as provided in this Act. County Dispensers, as herein provided, shall alone be authorized to sell and dispense intoxicating liquors, and all permits must be procured, as hereinafter provided, from the County Board of Control: *Provided*, That no license for the sale of spirituous liquors now authorized to be granted by municipal authorities shall be of any force or effect after the 30th day of June, 1893, but licenses may be issued or extended to said 30th day of June, 1893, upon payment of one half of the annual license required by the municipal and County authorities in cities or towns where such licenses are or may be authorized to be issued: *Provided, further*, That manufacturers of distilled, malt or vinous liquors who are doing business in this State shall be allowed to sell to no person in this State except to the State Commissioners and to parties outside of the State. Every package, barrel or bottle of such liquors shipped beyond the limits of this State shall have thereon the certificate of the State Commissioners allowing same, and otherwise it shall be liable to confiscation, and the railroad carrying it shall be punished as in Section 2: *And provided*, That any person shall have the right to make wine for his or her own use from grapes or other fruit.

Manufacture, sale, &c., prohibited.

Who alone may sell.

Licenses to be of force only until July 1, 1893.

No sales except to Commissioner.

Shipments beyond State lines.

Wine for home use.

A. D. 1892.

Application for position of County Dispenser.

Who are eligible

Bond,

For whose use.

Deposit of bond and action thereon.

Liability.

Proceeds of recovery.

Approval.

Number of County Dispensers.

SEC. 7. Applications for position of County Dispensers shall be by petitions signed and sworn to by the applicant and filed with the County Board of Control at least ten days before the meeting at which the application is to be considered, which petition shall state the applicant's name, place of residence, in what business engaged, and in what business he has been engaged two years previous to filing petition; that he is a citizen of the United States and of South Carolina; that he has never been adjudged guilty of violating the law relating to intoxicating liquors, and is not a licensed druggist, a keeper of a hotel, eating house, saloon, restaurant or place of public amusement, and that he is not addicted to the use of intoxicating liquors as a beverage. This permit or renewal thereof shall issue only on condition that the applicant shall execute to the County Treasurer a bond in the penal sum of three thousand dollars, with good and sufficient sureties, conditioned that he will well and truly obey the laws of the State of South Carolina now or hereafter in force in relation to the sale of intoxicating liquors; that he will pay all fines, penalties, damages and costs that may be assessed or recovered against him for violation of such laws during the term for which permit or renewal is granted, and will not sell intoxicating liquors under his permit at a charge exceeding fifty per cent. above the cost thereof. Said bond shall be for the use of the County or any person or persons who may be damaged or injured by reason of any violation on the part of the obligor of the law relating to intoxicating liquors purchased or sold during the term for which said permit or the renewal thereof is granted. The said bond shall be deposited with the County Treasurer, and suit thereon shall be brought at any time by the Solicitor or any person for whose benefit the same is given; and in case the conditions thereof, or any of them, shall be violated, the principal and sureties thereon shall also be jointly and severally liable for all civil damages, costs and judgments that may be obtained against the principal in any civil action brought by wife, child, parent, guardian, employer or other person, under the provision of the law. All other moneys collected for breaches of such bond shall go into the County treasury. Said bond shall be approved by the County Board of Control under the rules and laws applicable to the approval of official bonds.

SEC. 8. There may be one County Dispenser appointed for each County, whose place of business shall be at the County seat of said County, except the city of Charleston, for the County of

Charleston, where there may be ten Dispensers, and except the city of Columbia, for the County of Richland, where there may be three Dispensers appointed, whose place of business shall be located in such sections of said cities as will be most convenient for the accommodation of residents thereof. At least ten days before the first day of the meeting at which the applications for the position of County Dispenser are considered, the applicant shall file with the County Board of Control, and a copy thereof with the Clerk of Court, in support of the application, such a petition as is provided for in Section seven, signed by a majority of the freehold voters of the incorporated town or city in which the permit is to be used, and each person aforesaid shall sign said petition by his own true name and signature, and state that each before signing has read said petition and understands the contents and meaning thereof and is well and personally acquainted with the applicant: *Provided,* That in the judgment of the County Board of Control other dispensaries may be established in other towns in any County.

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Petition by freehold voters.

How signed.

Other dispensaries.

SEC. 9. If the application for the position of County Dispenser be granted, it shall not issue until the applicant shall make and subscribe on oath before the Clerk of the County Board of Control, which shall be endorsed upon the bond, to the effect and tenor following: "I, ————, do solemnly swear (or affirm) that I will well and truly perform all and singular the conditions of the within bond, and keep and perform the trust confided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors otherwise than is provided by law, and especially I will not sell or furnish intoxicating liquors to any person who is not known to me personally, or duly identified, nor to any minor, intoxicated person, or persons who are in the habit of becoming intoxicated, and I will make true, full and accurate returns to the County Board of Control the first Monday of each month of all certificates and requests made to or received by me as required by law during the preceding month; and such returns shall show every sale and delivery of such liquors made by or for me during the month embraced therein; and the true signature to every request received and granted; and such returns shall show all the intoxicating liquors sold or delivered to any and every person as returned." Upon taking said oath and filing bond as hereinbefore provided, the County Board of Control shall issue to him a permit authorizing him to keep and sell intoxicating liquors, as

Oath by County Dispenser.

Permit to County Dispensers.

A. D. 1892.

in this Act provided; and every permit so granted shall specify the building, giving street and number, or location, in which intoxicating liquors may be sold by virtue of the same, and the length of time in which the same shall be in force, which in no case shall exceed twelve months. Permits granted under this Act shall be deemed trusts reposed in the recipients thereof not as a matter of right, but of confidence, and may be revoked upon sufficient showing by order of the County Board of Control; and upon the removal of any County Dispenser, or upon demand of the County Board of Control, he shall immediately turn over to the said County Board of Control all liquors and other property in his possession belonging to the State or County. Said County Board of Control shall be charged with the duty of prosecuting the County Dispenser, or any of his employees, who may violate any of the provisions of this Act.

Specifications.

To be deemed trusts.

Revocation.

Liquors, &c., to be turned over.

Prosecutions.

Office.

Clerk.

Records.

Books.

Place of sale.

Permits to buy.

Meetings of County Board.

Compensation.

Limit.

Assistants.

Compensation of County Dispensers.

Appropriation of profits.

Requests for purchase by consumer.

SEC. 10. The County Board of Control shall use as their office the office of the County Commissioners of their respective Counties, and the Clerk of the Board of County Commissioners shall reserve as their clerk. They shall preserve, as part of the records and files of their office, all petitions, bonds and other papers pertaining to the granting or revocation of permits, and keep suitable books in which bonds and permits shall be recorded. The books shall be furnished by the County like other public records. The County Board of Control shall designate or provide a suitable place in which to sell the liquors, and shall furnish or grant permits to purchase from the State Commissioner such liquors as shall be necessary. The members of the County Board of Control shall meet once a month, or oftener on the call of the Chairman, and for their service they shall each receive a per diem of two dollars, and five cents mileage each way, and their clerk shall receive two dollars per day for the days actually employed as such, but they shall not receive compensation for more than thirty days in any one year. They shall, upon the approval of the State Board of Control, employ such assistants for the County Dispenser as may be necessary. The County Dispenser and his associates shall receive such compensation as the State Board of Control may determine. All profits after paying all expenses of the County Dispensary shall be paid one-half to the County treasury and one-half to the municipal corporation in which it may be located—such settlements to be made monthly.

SEC. 11. Before selling or delivering any intoxicating liquors to any person, a request must be presented to the County Dis-

penser, printed or written in ink, dated of the true date, stating the age and residence of the signer for whom and whose use the liquor is required, the quantity and kind requested, and his or her true name and residence, and, where numbered, by street and number, if in a city, and the request shall be signed by the applicant in his own true name and signature, attested by the County Dispenser or his clerk who receives and files the request, in his own true name and signature and in his own handwriting. A. D. 1892.

Requests of minors, &c., to be refused.

But the request shall be refused if the County Dispenser filling it personally knows the person applying is a minor, that he is intoxicated, or that he is in the habit of using intoxicating liquors to an excess; or if the applicant is not so personally known to said County Dispenser, before filling said order or delivering said liquor, he shall require identification, and the statement of a reliable and trustworthy person of good character and habits, known personally to him, that the applicant is not a minor, and is not in the habit of using intoxicating liquors to an excess.

Unknown applicants.

Blanks for requests.

SEC. 12. Requests for the purchase of liquor shall be made upon blanks furnished by the County Auditor, in packages of one hundred each, to the County Dispensers from time to time as the same shall be needed, and shall be numbered consecutively by the Auditor. The blanks aforesaid shall be furnished to the County Auditor by the State Board of Control in uniform books like bank checks, and the date of delivery shall be endorsed by the County Auditor on each book, and receipt taken therefor and preserved in his office. The County Dispenser shall preserve the application in the original form and book, except the filling of the blanks therein, until returned to the County Auditor. When return thereof is made, the County Auditor shall endorse thereon the date of return, and file and preserve the same, to be used in the quarterly settlements between the County Dispenser and the County Treasurer. All unused or mutilated blanks shall be returned or accounted for before other blanks are issued to such County Dispensers.

Requests to be preserved.

Returns to County Auditor.

SEC. 13. On or before the tenth day of each month, each County Dispenser shall make full returns to the County Auditor of all requests filled by him and his clerks during the preceding month, upon blanks to be furnished by the State Board of Control for the purpose, and accompany the same with an oath, duly taken and subscribed before the County Auditor or a Notary Public, which shall be in the following form, to wit: I, ——— ———, being duly sworn, state on oath that the requests for

Oath to return.

A. D. 1892.

liquors herewith returned are all that were received and filled at my place of business, under my permit, during the month of ———, 18—; that I have carefully preserved the same, and that they were filled up, signed and attested at the date shown thereon, as provided by law; that said requests were filled by delivering the quantity and kind of liquors required, and that no liquors have been sold or dispensed under my permit during said month except as shown by the requests herewith returned, and that I have faithfully observed and complied with the provisions of my bond, and oath taken by me, thereon endorsed, and with all the laws relating to my duties in the premises.

Proceedings on failure to make return.

SEC. 14. Upon failure of any County Dispenser to make the returns to the Auditor herein required, it shall be the duty of said Auditor to report such failure to the County Board of Control, and the said County Board of Control shall immediately summon said delinquent County Dispenser to appear before them and show cause why his permit should not be revoked; and if the cause shall not be shown to the satisfaction of the County Board of Control, they shall immediately annul said permit and give public notice thereof; and the Solicitor shall proceed to enforce the penalties prescribed in this Act for such violation against said County Dispenser at the next succeeding term of Court of the County in which such permit is held; and any County Dispenser who shall sell or dispense any intoxicating liquors after his permit shall have been revovked shall, upon conviction thereof, be fined not less than five hundred dollars and be imprisoned in the County jail for six months.

Revocation of permit.

Penalties.

Account of liquors received

SEC. 15. Every County Dispenser shall keep a strict account of all liquors received by him from the State Commissioner in a book kept for that purpose, which shall be subject at all times to the inspection of the Circuit Solicitor, any peace officer, or grand juror of the County, or of any citizen, and such book shall show the amount and kind of liquors procured, the date of receipt and amount sold, and the amount on hand of each kind for each month. Such book shall be produced by the party keeping the same, to be used as evidence on trial of any prosecution against him, on notice duly served that the same will be required as evidence.

Book as evidence.

U. S. license evidence of unlawful sale.

SEC. 16. The payment of the United States special tax as a liquor seller, or notice of any kind in any place of resort, or in any store or shop, indicating that intoxicating liquors are there sold, kept or given away, shall be held to be *prima facie* evi-

dence that the person or persons paying said tax and the parties displaying said notices are sellers of intoxicating liquors, and unless said persons or parties are selling under permit as prescribed by this Act they shall be punished as provided for by this Act.

Purchase by druggists.

SEC. 17. Licensed druggists conducting drug stores and not holding permits, and manufacturers of proprietary medicines, are hereby authorized to purchase of County Dispensers of the Counties of their residence intoxicating liquors (not including malt) for the purpose of compounding medicines, tinctures and extracts that cannot be used as a beverage. Such permit holders shall not charge such licensed druggist over ten per cent. net profits for liquors so sold. Such purchaser shall keep a record of the uses to which the same are devoted, giving the kind and quantity so used, and on or before the tenth of each calendar month they shall make and file with the County Auditor, and with the County Board of Control, sworn reports of the preceding calendar month, giving a full and true statement of the quantity and kinds of such liquors purchased and used, the uses to which the same have been devoted, and giving the names of County Dispenser from whom the same was purchased, and the dates and quantities so purchased, together with an invoice of each kind still in stock and kept for such compoundings. If said licensed druggist sell, barter, give away or exchange, or in any manner dispose of, said liquors, or use the same for any purpose other than authorized in this Section, he shall, upon conviction before any Court of General Sessions, forfeit his license and be liable to all penalties, prosecutions and proceeding at law and in equity provided against persons selling without permit, and upon such conviction the Clerk of Court shall, within ten days after such judgment or order, transmit to the Board of Pharmaceutical Examiners the certified record thereof, upon receipt of which the said Board shall strike the name of the said druggist from the list of pharmacists and cancel his certificate: *Provided*, That nothing herein contained shall be construed to authorize the manufacture or sale of any preparation or compound, under any name, form or device, which may be used as a beverage which is intoxicating in its character.

Profit to be charged druggists.

Record to be kept by them.

Sworn reports.

Penalties for unlawful use.

License as druggist to be revoked.

Intoxicating compounds.

Appropriation of $50,000 to purchase liquor.

SEC. 18. That the sum of fifty thousand dollars, if so much be necessary, is hereby appropriated for the purpose of purchasing and of supplying liquors to be distributed to County Dispensers under the provisions of this Act, to be expended by the State Treasurer upon the requisition of the State Commissioner, with

How expended.

A. D. 1892.

Loans.

the approval of the State Board of Control: *Provided,* That the amounts advanced to each County Dispenser shall be considered loans to be refunded out of the profits derived from the sales of liquors by the County Dispenser therein.

Penalties for false signatures and statements.

SEC. 19. If any person shall make any false or fictitious signature, or sign any name other than his or her own to any paper required to be signed by this Act, without being authorized so to do, or make any false statement in any paper, request or application signed to procure liquors under this Act, the person so offending shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and cost of prosecution, or be imprisoned not less than thirty days nor more than six months.

Perjury.

SEC. 20. If any County Dispenser or his clerk shall make false oath touching any matter required to be sworn to under the provisions of this Act, the person so offending shall upon conviction therefor be punished as provided by law for perjury. If

Other unlawful acts.

any County Dispenser, under the law, shall purchase or procure any intoxicating liquors from other person than the State Commissioner, or make any false return to the County Auditor, or use any request for liquors for more than one sale, in any such case he shall be deemed guilty of a misdemeanor, and upon conviction punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and imprisoned in the County jail for not less than ninety days nor more than one year for each offense.

Penalties for keeping liquor at clubs.

SEC. 21. Every person who shall, directly or indirectly, keep or maintain, by himself, or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining, any club room or other place in which any intoxicating liquors are received or kept for the purpose of barter or sale as a beverage, or for distribution or division among the members of any club or association, by any means whatever, and every person who shall barter, sell, or assist or abet another in bartering or selling, any intoxicating liquors so received or kept, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and by imprisonment in the County jail not less than ninety days nor more than one year.

Common nuisances.

SEC. 22. All places where intoxicating liquors are sold, bartered or given away in violation of this Act, or where persons are

permitted to resort for the purpose of drinking intoxicating liquors as a beverage, or where intoxicating liquors are kept for sale, barter or delivery in violation of this Act, are hereby declared to be common nuisances; and if the existence of such nuisance be established, either in a criminal or equitable action, upon the judgment of a Court, or Judge having jurisdiction, finding such place to be a nuisance, the Sheriff, his Deputy, or any Constable of the proper County or city where the same is located, shall be directed to shut up and abate such place by taking possession thereof, if he has not already done so, under the provisions of this Act; and by taking possession of all such intoxicating liquors found therein, together with all signs, screens, bars, bottles, glasses and other property used in keeping and maintaining such nuisance; and such personal property so taken possession of shall, after judgment against said defendant, be forthwith confiscated to the State, and the owner or keeper thereof shall, upon conviction, be adjudged guilty of maintaining a common nuisance, and shall for the first offense be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the County jail of not less than ninety days nor more than one year, and for each successive offense be punished by imprisonment in the Penitentiary for a period not exceeding two years nor less than one year.

How established

Closing and abating.

Property to be seized.

Confiscation.

Punishment.

SEC. 23. The Attorney-General, his assistant, the Circuit Solicitor, or any citizen of the County where such nuisance exists, or is kept or maintained, may maintain an action in the name of the State to abate and perpetually enjoin the same. The injunction shall be granted at the commencement of the action in the usual manner of granting injunctions, except that the affidavit or complaint, or both, may be made by the Attorney-General, his assistant or the Solicitor of the Circuit, upon information or belief, and no bond shall be required; and if an affidavit shall be presented to the Court or Judge, stating or showing that intoxicating liquors, particularly describing the same, are kept for sale, or are sold, bartered or given away on the premises, particularly describing the same where such nuisance is located, contrary to law, the Court or Judge shall at the time of granting the injunction issue his orders, commanding the officer serving the writ of injunction, at the time of such service, diligently to search the premises and carefully to invoice all the articles found therein, used in or about the carrying on of the unlawful business, for

Actions to abate and enjoin.

Order of injunction.

Without bond.

Search of premises.

A. D. 1892.

Fees to officer. which search and invoicing said officer shall receive the fees now allowed by law for serving an injunction. If such officer upon such search shall find upon such premises any intoxicating liquor, or liquors of any kind, in quantity going to show it was for pur-

Seizure of liquors. pose of sale or barter, he shall take the same into his custody and turn over the same to the Sheriff of the County, who shall securely hold the same to abide the final judgment of the Court in the action (the expenses for holding to be taxed as part of the

Other seizures. costs of the action); and such officer shall also take possession of all personal property found on such premises, and turn over the same to the Sheriff of the County, who shall hold the same until

Evidence of nuisance. the final judgment in the case. The finding of such intoxicating liquors on such premises, with satisfactory evidence that the same was being disposed of contrary to this Act, shall be *prima facie* evidence of the nuisance complained of. Liquors seized as here-

Replevin prohibited. inbefore provided, and the vessels containing them, shall not be taken from the custody of the officer in possession of the same by any writ of replevin or other process while the proceedings

Judgment to bar suit against officer. herein provided are pending; and final judgment in such proceedings in favor of the plaintiff shall, in all cases, be a bar to all suits against such officer or officers for recovery of any liquors seized, or the value of the same, or for damages alleged to arise

Contempt. by reason of the seizure and detention thereof. Any person violating the terms of any injunction granted in such proceedings shall be punished for contempt, for the first offense, by a fine of not less than two hundred dollars nor more than one thousand dollars, and by imprisonment in the County jail not less than ninety days nor more than one year. In case judgment is rendered in favor of plaintiff in any action brought under the provisions of this Section, the Court or Judge rendering the same shall also render

Attorneys' fees. judgment for a reasonable attorney's fee in such action in favor of the plaintiff, and against the defendants therein, which attorney's fee shall be taxed and collected as the other costs therein, and when collected paid to the attorney or attorneys of the plaintiff therein: *Provided*, If such attorney be the State's Attorney or Solicitor, such attorney's fee shall be paid into the County treasury. In contempt proceedings arising out of the violations of any injunction granted under the provisions of this Act, the

Punishment for contempts. Court, or, in vacation, the Judge thereof, shall have the power to try summarily and punish the party or parties guilty, as required

Affidavits. by law. The affidavits upon which the attachment for contempt issues shall make a *prima facie* case for the State. The accused

may plead in the same manner as to an indictment in so far as the same is applicable. Evidence may be oral, or in the form of affidavits, or both; the defendant may be required to make answers to interrogatories, either written or oral, as in the discretion of the Court or Judge may seem proper; the defendant shall not necessarily be discharged upon his denial of the facts stated in the moving papers. The Clerk of the Court shall, upon the application of either party, issue subpœnas for witnesses, and except as above set forth the practice in such contempt proceedings shall conform as nearly as may to the practice in the Court of Common Pleas.

Pleading.

Evidence.

Subpœnas.

Duties of Sheriffs and Constables.

SEC. 24. It shall be the duty of the Sheriffs, Deputy Sheriffs and Constables having notice of the violation of any of the provisions of this Act to notify the Circuit Solicitor of the fact of such violation, and to furnish him the names of any witnesses within their knowledge by whom such violation can be proven. If any such officer shall willfully fail to comply with the provisions of this Section, he shall, upon conviction, be fined in a sum not less than one hundred dollars nor more than five hundred dollars, and such conviction shall be a forfeiture of the office held by such person; and the Court before whom such conviction is had shall, in addition to the imposition of the fine aforesaid, order and adjudge the forfeiture of his said office.

Penalty for failure of duty.

Unlawful transportation of liquor.

SEC. 25. No person shall knowingly bring into this State, or knowingly transport from place to place within this State, by wagon, cart or other vehicle, or by any other means or mode of carriage, any intoxicating liquors with the intent to sell the same in this State in violation of law, or with intent that the same shall be sold by any other person, or to aid any other person in such sale, under a penalty of five hundred dollars and costs for each offense, and in addition thereto shall be imprisoned in the County jail for one year. In default of payment of said fine and costs the party shall suffer an additional imprisonment of one year. Any servant, agent or employee of any railroad corporation, or of any express company, or of any persons, corporations or associations, doing business in this State as common carriers, who shall remove any intoxicating liquors from any railroad car, vessel or other vehicle of transportation, at any place other than the usual and established stations, wharves, depots, or places of business of such common carriers within some incorporated city or town, where there is a dispensary, or who shall aid in or consent to such removal, shall be subject to a penalty of fifty dollars and imprisonment for thirty

Penalties.

Removal from car, &c., at other than depots, &c.

Penalty.

A. D. 1892.

days for every such offense: *Provided*, That said penalty shall not apply to any liquor in transit when changed from car to car to facilitate transportation. All such liquors intended for unlawful sale in this State may be seized in transit, and proceeded against as if it were unlawfully kept and deposited in any place. And any steamboat, sailing vessel, railroad, or express company, or other corporation, knowingly transporting or bringing such liquors into the State shall be punished upon conviction by a fine of five hundred dollars and costs for each offense. Knowledge on the part of any authorized agent of such company shall be deemed knowledge of the company.

Proviso.

Seizure in transit.

Penalties against carriers.

Knowledge of agent.

Appointment of Constables.

SEC. 26. The Governor shall have authority to appoint one or more State Constables at a salary of two dollars per day and expenses, when on duty, to see that this Act is enforced, the same to be charged to the expense account of the State Commissioner.

Local prohibitory Acts not repealed.

SEC. 27. No law now in effect prohibiting the sale of intoxicating liquors in any of the Counties or towns of this State is repealed by this Act.

Repealing clause.

SEC. 28. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved December 24th, A. D. 1892.

No. 29. AN ACT TO PERMIT COUNTY AND STATE OFFICERS TO GIVE BONDS, AND PROCURE POLICIES OF ASSURANCE, INSURANCE, GUARANTEE OR TRUST COMPANIES IN LIEU OF OFFICIAL BONDS WITH INDIVIDUAL SURETIES.

SECTION 1. *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, any County or State officer, who is now or may hereafter be required to give a bond conditioned for the faithful performance of his legal duties, with sureties, may, in lieu thereof, secure and furnish a bond of indemnity, or policy of assurance or insurance, for the amount now or hereafter required by law for such officer, written by a company duly corporated and empowered by law to execute bonds or policies of suretyship and of guarantee against loss by reason

Bond of surety company authorized.

of defalcation, infidelity, misfeasance or malfeasance on the part of the assured. A. D. 1892.

SEC. 2. That said bond or policy shall be made payable, in case of loss, to the State. To be payable to State.

SEC. 3. That any foreign company empowered by its home charter to issue bonds or policies of suretyship may write said bonds in this State: *Provided,* That they comply with the law now of force in this State regulating foreign insurance companies; all of which law as now of force is hereby made applicable to companies issuing bonds or policies of suretyships: *And provided, further,* That any such foreign company desiring to do business in this State shall first buy and deposit with the State Treasurer, or with such banking or trust company in this State as may be agreed upon by the said State Treasurer and such foreign company, the sum of twenty-five thousand dollars in State or United States bonds, as a guarantee of the solvency of said company; and in case such deposit is made with a banking or trust company, said company shall certify the same to the State Treasurer, and the said bonds so deposited shall at all times be subject to the inspection of the said Treasurer; and said deposit shall remain in possession of said Treasurer so long as the said foreign companies carry any risks in this State. Foreign companies may write bonds. On compliance with law. Deposit of bonds.

SEC. 4. That in case any foreign company, as aforesaid, shall fail to pay any judgment obtained against it by reason of defalcation of any officer guaranteed by them, the said deposit shall be subject to levy to satisfy the same; and in case of the reduction of the said deposit, as aforesaid, the said company shall again deposit such an amount of State or United States bonds as may be necessary to bring the said deposit up to the said amount of twenty-five thousand dollars before said company shall again be permitted to assume any risks of suretyships in this State. Judgment to be paid out of bonds deposited. Deposit to be maintained.

Approved December 24th, A. D. 1892.

AN ACT TO PROVIDE ADDITIONAL ARTIFICIAL LIMBS FOR ALL SOLDIERS OF THE STATE WHO LOST THEIR LEGS, EYE OR ARMS DURING MILITARY SERVICE IN THE YEARS 1861, 1862, 1863, 1864 AND 1865, WHO ARE NOW LIVING, AND WHO OBTAINED ONE UNDER THE ACTS OF 1879 OR 1881. No. 30.

Whereas, There is now in the hands of the State Treasurer the sum of twelve hundred and ninety-five (1,295.00) dollars Preamble.

A. D. 1892.

unexpended, arising from the Acts of the Legislature of this State providing for soldiers of this State who lost their legs or arms in the Confederate service,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

Artificial limbs or their equivalent provided for.

soldiers of the State who lost their legs, eye or arms, or who have been permanently disabled in their legs, eye or arms, during the military service of the years 1861, 1862, 1863, 1864 and 1865, and who have heretofore received from the State an artificial leg or arm, or who may have elected to take in money the price of said artificial limb, be, and they are hereby, allowed an additional arm or leg, or the price of same in money, if they shall so

How to be obtained.

elect, upon their complying with all the provisions and conditions

17 Stat., 186.

of "An Act to provide artificial limbs for all soldiers of the State who lost their legs or arms during military services in years 1861, 1862, 1863, 1864 and 1865," approved December 24, 1879, and

17 Stat., 563.

"An Act to provide artificial limbs for all soldiers of the State who lost their legs or arms, or who have been permanently disabled in their legs or arms, during military service in the years 1861, 1862, 1863, 1864 and 1865, and who have not been supplied under the provisions of former Acts of the General Assembly," approved December 17th, 1881.

Appropriation.

SEC. 2. That for the defraying the costs and expenses attending the execution of the provisions of the foregoing Section, the amount of three thousand eight hundred dollars, in addition to the sum of twelve hundred and ninety-five dollars now in the hands of the State Treasurer unexpended, and which was appropriated under the former Acts of the General Assembly for the purposes mentioned in the two Acts referred to in Section one of this Act, be, and the same is hereby, appropriated to carry out the provisions of this Act.

Approved December 24th, A. D. 1892.

No. 31. AN ACT TO PROVIDE FOR THE ADOPTING OF LEGITIMATE CHILDREN AND ALLOWING THEM TO INHERIT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1892.

any person or persons who may desire to adopt any legitimate child or children in this State, and confer upon such child or children so adopted the right to inherit as the lawful child of the said person or persons, whether it be desired to change the name of such child or children or not, shall be authorized to file his or their petition in the Court of Common Pleas for the County in which he, she or they may reside, and thereupon the Court upon an examination into the merits of the said petition either in open Court or upon reference shall be authorized to grant the prayer thereof upon such terms as may to the Court seem proper, and thereupon the name of the said child or children shall be changed if so provided in the decree of said Court, and such child or children shall be entitled to inherit from the said petitioner or petitioners as his, her or their lawful child or children: *Provided*, That before any hearing shall be had on said petition, the child or children so sought to be adopted and whose name or names are sought to be changed shall be served with a copy of said petition, and guardian *ad litem* for such child or children shall be appointed as in other civil actions.

Petition for leave to adopt.

Proceedings by the Court.

Change of name

Right to inherit.

Child to be served and represented.

Approved December 24th, A. D. 1892.

AN ACT TO REQUIRE THE COUNTY SCHOOL COMMISSIONERS AND THE COUNTY TREASURERS OF THE SEVERAL COUNTIES OF THE STATE TO KEEP A BOOK OF ENTRY OF ALL WARRANTS DRAWN ON AND PAID FROM THE FREE PUBLIC SCHOOL FUND. No. 32.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be the duty of each County School Commissioner of the several Counties of this State to keep a book of entry, in which shall be kept an account to be known as a "General Cash Account" for the fiscal year ———, in which account he shall enter the amount of the unexpended school fund for his County from the previous year, and the total amount of the poll tax, the two mill tax, the special

General cash account of School Commissioner.

Entries therein.

A. D. 1892.

tax, and all other school funds for the current year as reported to him by the County Treasurer, the date of his approval, the school district's No., the School Trustees' No., and his No. (his No. to begin each year with the figure 1 and run on up successively through the fiscal year), the name of the payee, the name of the person presenting, the purpose for which it was drawn and the amount of each warrant approved by him for the year. He shall also keep in said book an account with each school district in his County for each year, showing the amount due the district for the year previous, the amount of the poll tax, the amount of the two mill tax, the amount of the special tax and any other fund due the district for school purposes, the date of his approval, the purpose for which it was drawn, the school district's No., the School Trustees' No., his No. (it being the same No. as in the "General Cash Account"), the name of the payee, the name of the person presenting, and the amount of each warrant approved by him and drawn on the funds of the district for the year, the names of the School Trustees, the date of their appointment and the date of their resignation or removal.

Account with School Districts. Entries therein.

SEC. 2. That it shall be the duty of each County Treasurer of the several Counties of the State to keep a book of entry containing a "General Cash Account" of the school fund of his County for each fiscal year, showing on the left hand page the unexpended school fund for the previous year, the total poll tax, the total two mill tax, the total special tax and the total amount of other school funds for the current year, and showing on the right hand page the date of payment by him, the date of approval by the School Commissioner, the school district's No., the School Trustees' No., the School Commissioner's No., and his No. (his No. beginning with the figure 1 and running on up successively through the fiscal year), the name of the payee, the name of the person presenting, and the amount of each warrant paid by him during the fiscal year. The said Treasurer shall also keep an account in said book with each school district in his County showing the amount due to the district for the previous year, the poll tax, the two mill tax, the special tax and any other funds due the district for school purposes, and the date of payment by him, the date of approval by the School Commissioner, the school district's No., the School Trustees' No., the School Commissioner's No., and his No. (it being the same No. as in the "General Cash Account"), the name of the payee, the name of the person presenting, and the amount of each warrant paid by him during the fiscal year, drawn on the fund of that district.

General cash account of County Treasurer. Entries therein.

Accounts with School Districts. Entries therein.

A. D. 1892.

SEC. 3. That the failure of any County School Commissioner or County Treasurer of this State to comply with the provisions of this Act shall be deemed a misdemeanor, and on conviction thereof he shall be subjected to a fine of not less than two hundred dollars or imprisonment in the County jail for a period not less than six months.

Penalty for failure to comply.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AND DECLARE THE LAW IN REFERENCE TO THE DUTIES AND POWERS OF THE COUNTY AUDITOR IN REFERENCE TO THE ASSESSMENT OF PROPERTY FOR TAXATION WHERE A FALSE, FRAUDULENT OR OTHER IMPROPER RETURN HAS BEEN MADE. No. 33.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the assessment of property for taxation shall be deemed and held to be a step in the collection of taxes.

Assessment a part of collection.

SEC. 2. That Sections 239, 240, 241, 242, 243, 244 of Chapter XI of the General Statutes, relating to the assessment and taxation of property, be, and the same are hereby, declared to be in full force and effect, and shall be construed to mean as giving full and complete power to the County Auditor, independent of any rights conferred upon County Boards of Assessors or other officers, as to securing a full and complete return of property for taxation in all cases as expressed in said Sections, whether fraudulently or otherwise improperly or incompletely made.

Construction of Sections of tax law.

SEC. 3. That the action of said Auditor under the Sections set forth in the 2d Section of this Act shall not be interfered with by any Court of this State by *mandamus*, summary process or any other proceeding, but the taxpayer shall have the right, and no other, to pay his tax on such return under protest as now provided by law.

Action of Auditor not reviewable by Courts.

SEC. 4. That this Act shall go into effect immediately upon its approval by the Governor.

When to take effect.

Approved December 24th, A. D. 1892.

A. D. 1892. No. 34.

AN ACT TO PROVIDE AN ADDITIONAL REMEDY FOR THE COLLECTION OF TAXES, COSTS AND PENALTIES UPON LANDS PAST DUE AND UNPAID FOR EIGHT MONTHS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter it shall be lawful for the Secretary of State as agent of the Commissioners of the Sinking Fund, or for his authorized agent, to prepare a statement of the simple taxes, with fifteen per cent. penalty thereon for each and every levy which to him or his agent appears past due and unpaid upon any parcel of land which appears to him to be upon the forfeited land list as forfeited prior to December 24th, 1887; and also upon any parcel of land not subject to the operation of the Act in relation to abandoned lands, approved December 24th, 1889, upon which any levy made by the Legislature appears past due and unpaid for eight months; that the calculation of taxes due shall be made at such valuation as the Secretary of State may deem just and equitable.

Powers of Secretary of State as to forfeited lands.

20 Stat., 347.

Valuation.

SEC. 2. The Secretary of State shall then, by himself or his agent, enter upon the lands and personally serve a copy of such statement of dues, with a demand for payment of same, together with the necessary mileage, advertisement, and other costs and charges accrued thereon, upon any person whom he finds in possession of the land or of any part thereof; and if he fails to find any one in possession of the land or of any part thereof, upon such entry he shall post a copy of such statement and demand upon the premises and shall serve such person or persons as to him or his agent appears to be the last owner with a copy of the said statement and demand, if such owner or party in interest be a resident of the County in which said land is located, otherwise he shall for three consecutive weeks insert in some paper published in the County, or having a circulation therein, an advertisement, briefly describing the land, with the total amount due thereon, together with the mileage, advertisement and other costs, and a demand for the payment of the same within three weeks from the date of the first insertion, under pain of distress and sale of the land to satisfy said demand, with costs. If payment in gold, silver or paper, national currency of the United States, be not made within three weeks from the date of personal service, posting or first insertion of advertisement as above provided, then it shall be lawful at any time thereafter for the Secretary of State, as agent of the Commissioners of the Sinking Fund, to issue in the name

Entry on lands.

Demand for payment.

Posting copy.

Service.

Publication of notice.

Proceedings on non-payment.

Execution to issue.

A. D. 1892.

of the State a warrant or execution in duplicate against the said land upon which said taxes, penalties, costs and charges are due, signed by him in his official capacity, directed to the Sheriff of the County in which the said land is situated, or to his lawful deputy, requiring and commanding him to levy the same by distress and sale of all of the said land in default to satisfy the taxes, State, school, County or other special levies, penalties, costs and charges against the property in the statement, together with the Sheriff's fees and costs, which warrant or execution shall run substantially in these words (filling the blanks to suit each case), viz.: .....,

Levy and sale.

Form of warrant or execution.

Secretary of State, as *ex officio* agent of the Commissioners of the Sinking Fund, to the Sheriff of.....County, or to his lawful deputy: Whereas it appears that that lot or parcel of land described as.....acres, more or less, situate in.....Township and..... County, bounded by lands of....., is in default for taxes, penalties and costs to the amount of $....., as will more fully appear by the attached statement and demand, and by the return of the Secretary of State or his agent endorsed thereon as to the service, posting, or advertisement of same as law requires, and the neglect of owner or person in interest to pay the above charges: These are, therefore, in the name of the State, strictly to charge and command you to levy by distress and sale of the said land the sum of .....dollars, together with..... dollars, the penalties, costs and charges thereof, and for so doing this shall be your sufficient warrant. Given under my hand and seal this.....day of....., A. D. 18...

.....

Secretary of State and *ex officio* Agent of the Commissioners of the Sinking Fund.

Fees, costs and expenses.

SEC. 3. For every such statement and demand prepared, and so personally served or advertised by the Secretary of State, there may be collected for the Commissioners of the Sinking Fund, to be used for the benefit of the State, not more than three dollars, five cents per mile for every mile actually traveled, in entering upon the premises or service of the statement of dues and demand in going and returning, and not more than one dollar for advertising, and for every warrant issued by the Secretary of State not more than two dollars. And the Sheriff shall take out of said land in default the following fees in the execution of his office: For

Sheriff's fees.

A. D. 1892.

serving warrant, one dollar, besides mileage at the rate of five cents for each mile actually traveled in executing the warrant; for advertising sale, twenty-five cents; for making sale and executing deed, three dollars; and for all sums levied as the simple taxes, as aforesaid, five per cent: *Provided*, The printer's charge for advertising shall not exceed fifty cents for each tract of land levied on under execution; and the Sheriff is prohibited from demanding or collecting any greater sum therefor than is hereby allowed, nor shall he receive fees upon *nulla bona* returns, nor from any other source than from the particular parcel upon which the particular fees, costs and charges accrue.

Printer's fee.

Limitations on Sheriff's charges

Sheriff to take possession of land.

Advertisement and sale.

Titles.

Purchaser to be put in possession.

Application of proceeds.

Payment of surplus to Secretary of State.

Accompanying statement.

Disposition by Secretary of State.

SEC. 4. Under and by virtue of said warrant or execution the Sheriff shall seize and take exclusive possession of said land in default, and after due advertisement sell the same before the court house door of the County on a regular sales day, and within the usual hours for public sales, for cash; make title therefor to the purchaser complying with terms of sale, and annex to said title the duplicate warrant, with endorsement thereunder, put the purchaser in possession of the property sold and conveyed, and, after deducting from proceeds of sale the amount of taxes, penalties, costs and charges, shall pay over to the former owner, or to parties in legal interest, as their interest may appear upon conclusive proof thereof, the surplus, if any there be, and shall pay to the Secretary of State, as Agent of the Commissioners of the Sinking Fund, within ninety days from the date when the execution was placed in his hands, all the taxes, penalties, costs and charges other than the Sheriff's costs for levy, advertisement, and sale: *Provided*, That if the surplus be not paid over by the Sheriff within six months to the former owner of land, or to the party formerly of legal or equitable interest in the land, upon a conclusive proof to the Sheriff of such ownership or legal interest, then, at the expiration of the said six months, it shall be the duty of the Sheriff to pay over said surplus to the Secretary of State, with an accompanying statement, certified to by him officially, fully describing the land from which the particular surplus was derived, and showing clearly the amount for which said land was sold, the amount of costs and charges disbursed therefrom by him and the surplus remaining, and thereby paid over; said surplus shall be, by the Secretary of State, turned over to the Treasurer of the Sinking Fund, with the said accompanying statement, and be held by him for five years from date of sale, subject to the order of the Board of Commissioners

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of the Sinking Fund for the refunding of the same to any person or persons conclusively proving to the said Board that they are entitled to said surplus, or any part thereof, on account of their former ownership or legal interest. And that any surplus not so refunded within five years shall be passed to the general Sinking Fund of the State. In case there be no bid equal in amount to the taxes named in said warrant or execution, the County Auditor shall buy the land for the Commissioners of the Sinking Fund as the actual purchaser thereof for the amount of said taxes, costs, penalties and charges, and the Sheriff shall thereupon execute titles to the said Commissioners of the Sinking Fund as to any other purchaser and in the manner above provided, and shall put them or their authorized agent in possession of the premises, upon the payment to him by the Commissioners of the Sinking Fund the costs and fees above provided for the Sheriff. The land so sold and purchased and delivered to the said Commissioners of the Sinking Fund shall be treated by them as assets of the State in their charge and by them sold at such times and in such manner and upon such terms as by them shall be deemed most advantageous to the State.

Funding after five years.

Titles to Sinking Fund Commission.

Who shall receive possession

Assets of State.

To be sold.

Petition by owner.

SEC. 5. In case any owner or person having any interest in any parcel of such land alleged to be in default by the Secretary of State as aforesaid shall allege that the taxes have been paid, he can and may, before the issuing of the warrant to the Sheriff, set forth his alleged grievance by petition in writing, accompanied with such evidence in writing as he may desire to submit, to the Secretary of State, whose duty it shall be to pass upon the same; and if the petitioner shall be dissatisfied with the ruling of the Secretary of State, he shall have the right of appeal to the Board of Commissioners of the Sinking Fund, who are authorized to hear and pass final judgment upon such appeal, provided the appealing petitioner, within twenty days of the ruling of the Secretary of State, file with the Secretary of State a written appeal to the said Board, with all papers in the case, and pending the decision of the said Board on such appeal there shall be a stay of the issuing of the warrant to the Sheriff: *Provided*, That if before the issuing of the execution by the Secretary of State to the Sheriff any owner or person interested in the land shall personally file with the Secretary of State, or with his agent, notice that he deems the valuation fixed by the Secretary of State as excessive, and that he desires the Township Board of Assessors to value the property, then it shall be the duty of the Secretary

Appeal to Sinking Fund Commission.

Papers on appeal.

Stay of warrant.

Proceedings to obtain revaluation.

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of State or his agent to call upon the said Township Board of Assessors for the township in which the land is located to certify to him a valuation of the said land, with improvements thereon, under pain of any member being removed from office and being fined five dollars by any Trial Justice, (one-half of said fine for the benefit of the Commissioners of the Sinking Fund and one-half for the person demanding the valuation,) who shall fail to so certify a valuation within one week, and such valuation by the members of the said Board of Assessors, or a majority of them, shall be final and conclusive, without right of appeal therefrom: *And provided, further,* If the said owner or persons in interest do not appear and personally serve in writing the Secretary of State or his agent with such porsonal notice of appeal to the Township Board of Assessors, they shall be ever afterwards barred from any appeal whatever from the valuation placed upon the land by the Secretary of State or his agent.

Assessment by Township Board.

Penalty for refusal.

Valuation final.

Bar.

Tax duplicate to be *prima facie* evidence.

SEC. 6. That the failure of the tax duplicates to show the payment of any levy or part thereof made by the General Assembly shall in all Courts of this State be received as *prima facie* evidence of the non-payment of such levy or part thereof, and of the existence of the State's prior and preferred lien upon the land to secure the payment of such levy or part thereof, with such penalties and costs as may have accrued thereon, and as a sufficient warrant for the execution and sale herein provided, and that no rebutting evidence shall be in any proceeding in this State admitted except the production of the tax receipt signed by the County Treasurer, or a receipt or certificate signed by the Secretary of State or his agent, showing that said levy or part thereof, or any penalties and costs that may have accrued thereon, were paid at the proper time and to the person authorized by law to receive it: *Provided, further,* That such receipt or certificate of payment shall be evidence only as to the particular levy to which it refers and shall not affect any other levy, or changes or action hereunder.

Sufficient warrant for sale.

Rebutting evidence limited.

Proviso.

Sheriff's deed *prima facie* evidence.

SEC. 7. In all cases of sale the Sheriff's deed of conveyance, whether executed to a private person, a corporation or to the Commissioners of the Sinking Fund, shall be held and taken as *prima facie* evidence of good title in the holder and that all proceedings have been regular and all requirements of the law have been complied with. No action for the recovery of land sold by the Sheriff under the provisions of this Act or for the recovery of the possession thereof shall be maintained unless brought

Limitation of action.

A. D. 1892.

within one year from the date of sale, and unless it be sustained by conclusive evidence from the tax duplicates, or from a tax receipt signed by County Treasurer, or by a certificate signed by the Secretary of State or by his agent showing that all of the taxes and levies for which the land was sold, with the costs that may have accrued thereon, were paid prior to the sale, at the proper time, and to the properly authorized officials.

Necessary evidence.

Cumulative remedies.

SEC. 8. That the remedy afforded by this Act is additional to existing remedies, and the Commissioners of the Sinking Fund shall always have the choice of remedies, and the right to abandon either remedy at any stage of proceedings and adopt any other existing remedy. That the provisions of this Act may be applied to cases already in suit as well as to other cases.

Choice of remedies.

Existing suits.

Approved December 24th, A. D. 1892.

No. 35.

AN ACT PROVIDING THAT WHEN ANY LAND OR OTHER PROPERTY IS PURCHASED FROM THE SINKING FUND COMMISSION OF THIS STATE THE PURCHASE MONEY FOR SAME SHALL BE PAYABLE ONLY IN GOLD OR SILVER COIN, UNITED STATES CURRENCY, NATIONAL BANK NOTES, AND COUPONS DUE ON BROWN BONDS, AND NO OTHER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act when any lands or other property is purchased from the Sinking Fund Commission of this State the purchase money for same shall be paid in the following kinds of funds and no other, to wit: Gold and Silver coin, United States currency, national bank notes, and coupons which shall be due and payable on the consolidated bonds of this State, known as Brown Bonds.

In what funds payable.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 36.

AN ACT TO REPEAL, SO FAR AS AGRICULTURAL HALL IS CONCERNED, AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE SALE OF THE LOT AND BUILDING KNOWN AS AGRICULTURAL HALL, THE FISH POND LOT AND THE AGRICULTURAL EXPERIMENTAL STATIONS, WITH THEIR PERSONAL PROPERTY AT COLUMBIA, AND IN DARLINGTON AND SPARTANBURG COUNTIES, AND TO APPROPRIATE THE PROCEEDS THEREFOR," APPROVED DECEMBER 24TH, 1890.

Preamble.

Whereas a sufficient appropriation to Clemson College has been otherwise provided for; now, therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the sale of the lot and building known as Agricultural Hall, the Fish Pond Lot and Agricultural Experimental Stations, with their personal property at Columbia, and in Darlington and Spartanburg Counties, and to appropriate the proceeds thereof," approved December 24th, 1890, be, and said Act is hereby, repealed, so far as the said Act authorizes and provides for the sale and appropriates the proceeds of sales to Clemson College of that certain lot and building known as Agricultural Hall.

A. A. 1890, 20 Stat., 707, repealed in part

Proceeds of sale of Agricultural Hall.

SEC. 2. That if the said lot and building in the city of Columbia known as Agricultural Hall has not been sold and conveyed, it shall remain unsold, and if already sold and conveyed, the proceeds of the sale shall be covered into the State Treasury for the benefit of the State.

To be paid into State Treasury.

Approved December 24th, A. D. 1892.

No. 37.

AN ACT TO AUTHORIZE AND EMPOWER THE TRUSTEES OF CLEMSON AGRICULTURAL COLLEGE TO LICENSE AND PROHIBIT TRAFFIC AND TO APPOINT POLICEMEN AT CLEMSON AGRICULTURAL COLLEGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Trustees of the Clemson Agricultural College be, and they are hereby, authorized and empowered to make such by-laws as they deem proper to license or prohibit the sale of goods, wares

May license or prohibit sales.

and merchandise of any kind whatever on the grounds belonging to said College, as are not repugnant to the laws of the State; and also to appoint peace officers or policemen, who may arrest at any time any and all parties guilty of disorderly conduct or of any violations of the laws of the State and carry them before the nearest Trial Justice for trial. A. D. 1892. May appoint policemen.

SEC. 2. That any person violating any of the by-laws made by the said Trustees in accordance with this Act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days. Violation of by-laws. Penalty.

Approved December 24th, A. D. 1892.

AN ACT TO REQUIRE AND REGULATE LICENSES AND LICENSE FEES IN THIS STATE FROM FOREIGN INSURANCE, BANKING AND OTHER LIKE FOREIGN CORPORATIONS, EXCEPT NATIONAL BANKS, AND EXCEPT BENEVOLENT INSTITUTIONS ORGANIZED UNDER THE GRAND LODGE SYSTEM. No. 38.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act foreign insurance companies of all classes, such as fire, life, marine, surety, security, guarantee, hail storm, live stock, accident, plate glass and other like insurance companies, foreign land loan associations, foreign building and loan associations, foreign banking associations, and all other like classes of like business not incorporated under the laws of South Carolina, except National Banks and except benevolent institutions organized under the grand lodge system, shall each, before transacting any business in this State, pay a license fee of one hundred dollars to the Comptroller-General at the date and time now required by law for insurance companies to pay their license fee: *Provided,* That the provisions of this Act shall in no way apply to the societies, lodges and associations named in Section 5 of an Act entitled "An Act to require foreign co-operative assessment companies to comply with the insurance laws of the State, and to clearly define who shall be considered Foreign corporations to obtain license. Exceptions. Amount of fee. Proviso. 18 Stat., 458.

A. D. 1892. agents of insurance companies," approved 24th December, A. D. 1883.

Resident agent to be appointed. SEC. 2. That it shall be unlawful hereafter for any one of such foreign companies as are required by Section 1st of this Act to obtain license and pay license fees to transact any business in this State until they shall have and keep some duly appointed resident agent in this State, on whom legal process may be served, so as to bind the company he represents, and service of process upon his agent at his main office shall be sufficient to give jurisdiction to the Court issuing same in any County in this State. And every resident agent shall return to the County Auditor of each County his gross receipts from said Counties for taxation as other property is returned for taxation.

Service of process.

Returns for taxation.

Fees to be paid into State Treasury. SEC. 3. That all fees for licenses, as provided for in Section 1st of this Act shall be paid into the State Treasury as collected by the Comptroller-General.

Provisions made applicable SEC. 4. That all the penalties and forfeitures heretofore imposed upon insurance companies, under the existing laws of this State, for failure to comply with the law, shall apply to and be imposed upon any company which may hereafter fail to comply with the requirements of this Act.

Repealing clause. SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 39. AN ACT TO LIMIT THE HOURS OF LABOR FOR EACH DAY OF TWENTY-FOUR HOURS AND EACH WEEK, IN ALL COTTON AND WOOLEN ESTABLISHMENTS IN THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That eleven hours shall constitute a day's work or sixty-six hours a week's work in all cotton and woolen manufacturing establishments in the State of South Carolina for all operatives and employees except engineers, firemen, watchmen, mechanics, teamsters, yard employees and clerical force: *Provided*, That nothing herein contained shall be construed to prevent any of the employees in

Limitation of work hours.

Exceptions.

A. D. 1892.

the aforesaid manufacturing establishments from engaging to work, or working, such time in addition, not to exceed seventy hours per annum, as may be necessary to make up for lost time caused by accident or other unavoidable circumstances; or to prevent all such employees working such additional time as may be necessary to clean up and make necessary repairs of or changes in the machinery.

Extra work in certain contingencies.

SEC. 2. That the words "manufacturing establishments" where occurring in this Act shall be construed to mean any buildings in which labor is employed to fabricate or produce goods, including yarns, cloth, hosiery and other merchandise.

Manufacturing establishments defined.

SEC. 3. All contracts made for a longer day's work than eleven hours or week's work longer than sixty-six hours in said manufacturing establishments shall be, and the same are hereby declared to be, absolutely null and void and contrary to law, and any person making and enforcing such contracts with an employee in said establishments shall be deemed to be guilty of a misdemeanor, and on conviction in a Court of competent jurisdiction shall be fined in each case a sum of money not less than fifty nor more than one hundred dollars, together with the costs of the proceedings.

Void contracts.

Penalties.

SEC. 4. This Act shall go into effect on the first day of April, A. D. 1893.

When to take effect.

SEC. 5. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved December 24th, A. D. 1892.

No. 40.

AN ACT PROVIDING FOR A RIGHT OF ACTION AGAINST A MUNICIPAL CORPORATION FOR DAMAGES SUSTAINED BY REASON OF DEFECTS IN THE REPAIR OF STREETS, SIDEWALKS AND BRIDGES WITHIN THE LIMITS OF SUCH MUNICIPAL CORPORATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any person who shall receive bodily injury, or damages in his person or property, through a defect in any street, causeway, bridge or public way, or by reason of defect or mismanagement of

Causes of action.

A. D. 1892.

any thing under control of the corporation within the limits of any town or city, may recover, in an action against the same, the amount of actual damages sustained by him by reason thereof. If any such defect in a street, causeway or bridge existed before such injury or damage occurred, such damage shall not be recovered by the person so injured if his load exceed the ordinary weight: *Provided,* The said corporation shall not be liable unless said defect was occasioned by its neglect or mismanagement: *Provided, further,* Such person has not in any way brought about any such injury or damage by his or her own negligent act or negligently contributed thereto.

Restrictions.

Proviso.

Contributory negligence.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 41. AN ACT VESTING ALL THE RIGHT AND TITLE OF THE STATE IN OR TO THE WATEREE CANAL IN THE OWNERS OF LANDS ADJACENT THERETO, SEVERALLY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all the right, title and interest of the State of South Carolina, if any there be, in the Canal, known as the Wateree Canal, on the West side of the Wateree River, in the County of Kershaw, with all appurtenances thereto, be, and the same is hereby, granted and ceded to and vested in the owners of the lands through which the said Canal extends, severally, to them, their heirs and assigns forever. So that all the right, title and interest of the State in or to so much and no more of the said Canal as lies within the boundary lines of each separate parcel or tract of land whereon the said Canal is located be, and is hereby, vested severally in the owner or owners of each said separate parcel or tract of land: *Provided,* Operations are commenced and the sum of ten thousand dollars ($10,000) expended towards utilizing the water power of the river for manufacturing or other purposes at some point within the extent of said Canal within five years from the approval of this Act.

Grant of rights and title.

Grantees.

Proviso.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CEDE TO FERGUSON H. BARBER AND OTHERS ALL THE RIGHT, TITLE AND INTEREST OF THE STATE OF SOUTH CAROLINA IN CERTAIN PARTS OF THE ROCKY MOUNT CANAL, IN CHESTER COUNTY."

A. D. 1892.

No. 42.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to cede to Ferguson H. Barber and others all the right, title and interest of the State of South Carolina in certain parts of the Rocky Mount Canal, in Chester County," be, and the same is hereby, amended, so that after the word "*Provided, also,*" said Section shall read: Operations are begun and the sum of ten thousand dollars expended by said parties, their heirs and assigns, towards utilizing the water power of the said river for manufacturing purposes within five years from the first day of January, A. D. 1893. Any moneys expended in opening the said canal shall be deemed a part of the said ten thousand dollars: *Provided, also,* That within said period of five years that the parties herein named, or some company of which they are stockholders, shall erect a factory or factories at a cost of fifty thousand dollars.

A. A. 1887, 19 Stat., 996, extended.

Proviso.

Factory to be erected.

Approved December 24th, A. D. 1892.

AN ACT TO LIMIT THE PUNISHMENT OF PERSONS CONVICTED OF THE FOLLOWING MISDEMEANORS, NAMELY: CARRYING CONCEALED WEAPONS, SELLING PROPERTY UNDER LIEN WHEN THE PROPERTY DOES NOT EXCEED $20 IN VALUE, MALICIOUS TRESPASS, MALICIOUS MISCHIEF, DISTURBING RELIGIOUS MEETINGS, AND RIOTS WHEN NO WEAPONS ARE ACTUALLY USED OR WOUNDS INFLICTED.

No. 43.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, any person upon conviction of any one of the following named misdemeanors shall be subject and liable for each offense to a fine not to exceed one hundred dollars,

Punishment prescribed.

A. D. 1892.

or to imprisonment for a term not exceeding thirty days, to wit: Carrying concealed about the person any deadly weapon, such as are enumerated in Section 2472 of the General Statutes; disturbing a religious meeting in any way, or otherwise violating the provisions of Section 1635 of the General Statutes, when no weapons were actually used and no wounds inflicted; all riots, routs and affrays where no weapons were actually used and no wounds inflicted; malicious mischief and malicious trespass as contemplated in Sections 2500 and 2501 of the General Statutes; disposing of property under lien, when the value of such property does not exceed twenty dollars.

Misdemeanors enumerated.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 44. AN ACT TO ENTITLE ALL PERSONS CHARGED WITH FORGERY TO THE BENEFIT OF AN ARRAIGNMENT AND CHALLENGE OF JURORS AS IN CASES OF FELONY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act any person or persons who are now indicted or may hereafter be indicted for forgery shall be entitled to all of the incidents of an arraignment as in cases of felony, and shall be entitled to peremptory challenge of jurors not exceeding ten.

Arraignment authorized.

Challenges.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 45. AN ACT TO RATIFY AND CONFIRM THE CONTRACT MADE AND ENTERED INTO BY AND BETWEEN THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PENITENTIARY AND THE COLUMBIA ELECTRIC STREET RAILWAY, LIGHT AND POWER COMPANY FOR THE DEVELOPMENT OF THE FIVE HUNDRED HORSE POWER OF WATER POWER RESERVED BY THE STATE OF SOUTH CAROLINA FOR THE USE OF THE SOUTH CAROLINA PENITENTIARY, ALONG THE LINE OF THE COLUMBIA CANAL.

Preamble.

Whereas, At a regular meeting of the Board of Directors of the South Carolina Penitentiary, held in the city of Columbia on

the 17th day of May, A. D. 1892, a resolution was unanimously adopted authorizing and instructing the Superintendent of the South Carolina Penitentiary, on behalf of the said Board, to enter into a contract with the Columbia Electric Street Railway, Light and Power Company for the development and utilization of the five hundred horse power of water power reserved by the State of South Carolina for the use of the South Carolina Penitentiary, along the line of the Columbia canal; and, *whereas*, the Superintendent of the South Carolina Penitentiary, pursuant to the said resolution of the said Board, did, on the 26th day of May, A. D. 1892, execute a contract with the said the Columbia Electric Street Railway, Light and Power Company, for the development and utilization of the said water power upon certain terms expressed in the said contract; and, *whereas*, the said the Columbia Electric Street Railway, Light and Power Company, pursuant to the said contract, has erected extensive mason work, and has placed thereon water wheels for the development of the said five hundred horse power of water power, and erected thereon all necessary buildings, shafting, etc., with all necessary water wheels, gate ways, and other structure for the complete development and use of the said water power, and has in all other respects fully complied with the terms of the said contract; Now, therefore,

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Contract recited.

Work done under the contract.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said contract by and between the Board of Directors of the South Carolina Penitentiary, and the Columbia Electric Street Railway, Light and Power Company, for the development of the said water power, be, and the same is hereby, ratified and confirmed, subject, however, to all of the conditions, limitations and restrictions in the said contract provided.

Contract confirmed.

Limitations.

Approved December 24th, A. D. 1892.

AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF TOWNS IN THIS STATE OF ONE THOUSAND OR MORE INHABITANTS. No. 46.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1892.

in General Assembly, and by the authority of the same, That

Charter provided for.

from and after the passage of this Act, every town in this State of one thousand or more inhabitants, whose charter has now expired or shall hereafter expire, or which has not heretofore been chartered, shall have all the rights, powers and privileges set forth and granted by this Act, and shall be subject to all the provisions and limitations herein contained; and the Act of incorporation of such town shall contain: 1. The names of the corporators. 2. The name of the town. 3. The limits of the town. 4. A reference to this Act by its title. 5. Such special exceptions to the provisions herein contained, or such additions thereto, as the General Assembly may enact for the better carrying out the purpose of the incorporation. 6. The duration of the charter.

Contents of special Acts of incorporation.

Intendant and Wardens.

SEC. 2. Said town shall be governed by an Intendant and six Wardens, who shall be citizens of the United States and who shall be persons who actually reside in the corporate limits of said town, and have so resided at least six months immediately preceding the day of their election. The said Intendant and Wardens shall be, and be known as, the Town Council of said town, and shall be elected every two years, on such day and at such place in said town as shall be designated by the Town Council of said town, ten days' public notice thereof being previously given. They shall hold their offices for the term of two years, and until their successors shall have been elected and qualified.

Corporate name of Council.

Election.

Term of office.

Place and hour of election.

SEC. 3. All elections shall be held in some convenient public place in said town; the poll shall be open from seven o'clock in the forenoon to four o'clock in the afternoon, and shall be conducted by managers who shall be appointed as hereinafter provided for.

Managers.

Electors.

SEC. 4. All the male inhabitants of said town, who at the time of an election have resided within the proposed corporate limits of said town for the space of three months next preceding any election for Intendant or Wardens, or both, and who are qualified to vote in State elections, shall be entitled to vote in such elections.

Appointment of Managers.

SEC. 5. In all cases where any such town has heretofore been incorporated, three managers of election shall be appointed by the Town Council of such town at least ten days before the day fixed for the holding of an election for Intendant and Wardens, or either of them, and the names of such managers shall be published at the same time and in the same place as the notice of

Publication of notice.

A. D. 1892.

such election hereinbefore provided for. In case such town has not heretofore been incorporated such managers shall be appointed, and the notice of election above provided for given by the County Commissioners of the County wherein said town is located.

Notice by County Commissioners.

Oath of Managers.

SEC. 6. The managers shall be sworn by the Intendant, or, in his absence or in case of disability, by one of the Wardens of said town, or in case there is no Intendant or Wardens, then by any officer authorized to administer oaths, fairly and impartially to conduct such election and make a true return of the result thereof.

Count of votes.

Immediately upon the closing of the polls the managers shall proceed to count the votes cast and shall continue such count until the same is completed, and make a statement of the whole number of votes cast in such election, together with the number cast for each person voted for for Intendant and Warden, upon the completion of which they shall transmit such statement to the Town Council of such town, and in case there be no Town Council they shall proclaim the election and transmit a copy of such statement to the Clerk of the Court of the County wherein such town is situated, and notify the parties elected of their election; and the said Intendant or Clerk of Court shall, immediately upon receipt of such statement or report of the managers, open and publish the same by announcing the whole number of votes cast for each person voted for as Intendant or Warden. The person securing the highest number of votes for Intendant shall be declared duly elected to that office, and the persons receiving the highest number of votes for Wardens, in number equal to the number of Wardens to be chosen, shall be declared duly elected to that office. Such Intendants and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution, and also the following oath, to wit:

Report.

Declaration of result.

Oath of Intendant and Wardens.

"As Intendant (or Warden) of the town of ——, I will equally, fairly and impartially, to the best of my ability and skill, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect according to law the purposes for which I have been elected: So help me God."

Election to fill vacancies.

SEC. 7. In case a vacancy occur in the office of Intendant or Warden by death, resignation, or otherwise, all elections to fill such vacancies shall be held in the same manner and after the same notice as hereinbefore provided.

Contests and protests.

SEC. 8. In case of a contest or protest as to any municipal or special election held under this Act, or by virtue of the incor-

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poration herein created, the same shall be determined in the manner now provided by the General Statutes of this State.

Intendant *pro tem.*

SEC. 9. The Town Council of such town shall have power to elect one of its Wardens Intendant *pro tempore*, who shall be vested with all the powers, duties and responsibility attaching to the office of Intendant during the temporary absence or disability of the Intendant; or when the office of Intendant shall be and become vacant by reason of death, resignation, removal, or permanent disability of the Intendant, until a new Intendant shall have been elected and qualified.

Judicial powers of Intendant

SEC. 10. The said Intendant shall have power and authority to try all offenders against the ordinances of said town in a summary manner without a jury, upon their apprehension and arrest, as soon thereafter as possible, unless such person enter into

Recognizances.

good and sufficient recognizance, to be approved by said Intendant, or, in the case provided, the Intendant *pro tempore*, to appear for trial within four days after such arrest, or at such other time as may be agreed upon, in which event the trial shall be deferred until that time.

Fine and imprisonment.

SEC. 11. Whenever said Intendant shall find a party tried before him guilty of violating an ordinance of said town, he shall have power to impose, in his discretion, a fine or imprisonment, in the alternative, not to exceed the limits prescribed for such violation by the ordinances of said town.

Right of appeal.

SEC. 12. From all decisions of said Intendant, any party in interest feeling himself aggrieved shall have the right of appeal

Proceedings on appeal.

to the Town Council: *Provided*, He give notice of such appeal immediately upon the sentence being pronounced, and enter into bond to appear and defend before said Council, at a time to be

Trial of appeal.

specified in such undertaking. At the trial of such appeal the Intendant, or, in case of his absence or disability, the Intendant *pro tempore*, shall preside, and the Wardens shall sit as a jury to

Appellate powers of Council.

try the facts. They may reverse, modify or confirm any or all rulings and conclusions of the Intendant or Intendant *pro tempore* made and reached in the first trial of the case.

Council meetings.

SEC. 13. The Intendant shall have authority to summon the Wardens to meet in Council for the transaction of business pertaining to the corporation, whenever in his judgment it may be

Seal.

necessary. The said town shall have and keep a common seal, which shall be affixed to all ordinances passed by Intendant and

Sue, plead, &c.

Wardens thereof. By its corporate name it may sue and be sued, plead and be impleaded, in any Court of law or equity in this

A. D. 1892.

State, and may purchase, hold, enjoy and possess, for the purpose of said town, in perpetuity or for a term of years, any estate, either real or personal or mixed, and sell, alien and convey the same at will. Property rights.

Ordinances.

SEC. 14. And the said Town Council shall have full power to make, ordain and establish all such rules, by-laws, regulations and ordinances respecting its roads, streets, markets, police, health and order of said town as shall appear to them necessary and proper for the security, welfare and convenience of the said town, or for preserving health, peace, order and good judgment within the same. And the Town Council may fix and impose fines and penalties for the violation of the said rules, by-laws, regulations and ordinances, not to exceed the sum of one hundred dollars, or imprisonment for not more than thirty days, and shall appropriate all revenues arising therefrom to the use of the said corporation: *Provided*, Such ordinances, rules and by-laws or regulations be not contrary to the laws of the State. Fines and penalties. Appropriation of proceeds. Proviso.

Work of convicts on streets.

SEC. 15. Every person sentenced to imprisonment, either directly or in consequence of a failure to pay a fine imposed, shall be subject to work upon the streets of said town during the said period of such imprisonment.

Liquor licenses.

SEC. 16. The said Town Council shall have power to grant licenses for the sale of spirituous and malt liquors within said limits, which licenses shall be granted in the same manner and and upon like conditions as now are, or may hereafter be, under the laws of this State: *Provided*, That no such licenses shall be granted without a written petition of a majority of the freeholders of said town. Proviso.

License tax on business.

SEC. 17. That said Council may, and they are hereby authorized, annually to require the payment of such reasonable sums of money as a license tax by any person or persons, corporation or corporations, engaged or intending to engage in any calling, business, occupation or profession, in whole or in part, within the limits of said town, except those engaged in the calling or profession of teachers or ministers of the gospel; they shall have power to collect licenses or taxes from all persons representing publicly within the limits of said town, for gain or reward, any plays or shows of whatever nature or kind soever; and said Town Council are hereby authorized and empowered to pass such ordinances as are necessary to give full force and effect to this Section, and to punish delinquents thereunder. Exceptions. Shows. Ordinances.

Powers of taxation.

SEC. 18. Said Council shall have power to impose an annual tax, not exceeding two per cent. of the assessed value thereof, on

A. D. 1892.

all real estate lying within the corporate limits of said town and all personal property owned or held within the same, including bonds and stocks of banks and insurance companies and other corporations, the real estate of churches and school associations from which such churches and school associations draw a revenue or which are intended to be rented out for such purpose.

Assessors.

SEC. 19. For the purpose of levying such tax, the said Council shall appoint three freeholders, residing within said town, to assess the value of all real estate therein upon oath, and make return of such assessment within thirty days from the date of their appointment to said Council, and said Council shall have power to fill any and all vacancies arising from any cause on said Board of Assessors.

Vacancies.

Returns by taxpayers.

SEC. 20. Returns shall be made on oath annually to the Clerk of said town of the amount of all sales of merchandise, and of the quality, value and kind of all property other than real estate subject to taxation under the provisions of this Act, by the persons who may be liable to pay taxes on the same; and any property not returned shall be assessed by the Clerk of said town, and a penalty of fifty per cent. added, and said taxes shall be due and payable at such time as the Town Council by ordinance declare.

Penalty.

When payable.

Lien for taxes.

SEC. 21. The taxes so levied shall constitute a lien upon the property upon which it is levied paramount to all other liens, except the lien for State and County taxes, and for the purpose of collecting the same.

Streets.

SEC. 22. The said Town Council shall have power to open, and it shall be their duty to keep in good repair, all the streets and ways which may be necessary for public use within the limits of said town; and for such purpose they are hereby invested with all the powers, rights and privileges now given, or hereafter to be given, to the County Commissioners of the several Counties of this State on public roads within the limits of said town.

Powers of Council.

Fire department.

SEC. 23. The said Town Council shall have the power and authority to equip and control a fire department for the protection of said town in such way as they may deem necessary, and by ordinance to establish fire limits in said town, and to prescribe and designate the kind and character of material to be used in erecting and repairing buildings or structures within and upon that portion of said town included within such fire limits. All buildings or structures erected within such fire limit contrary to

Fire limits.

the ordinances of said town may be abated and removed by said Town Council as a public nuisance. A. D. 1892. Nuisance.

SEC. 24. The said Town Council shall have authority to appoint or elect as many marshals, regular or special, as may be necessary for the proper government of said town, to fix their salaries and prescribe their duties. They shall be sworn in and vested with all the powers now conferred by law upon Constables in addition to the special duties imposed upon them by said Council: *Provided,* Their jurisdiction shall not extend beyond the limits of said town. Marshals. Their powers. Jurisdiction.

SEC. 25. The said Council shall have authority to establish a guard house and prescribe suitable rules and regulations for the government of the same. They may by ordinance, or the Intendant and Wardens, or either of them, in person, authorize any Marshal of said town to arrest and commit to said guard house for a period not exceeding twenty-four hours before trial, unless such arrest be made on Saturday, in which case it shall not exceed forty-eight hours before trial, any person or persons who within the said corporate limits shall be engaged in a breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent; and it shall be the duty of the Marshal of said town to arrest and commit all such offenders, when required by any ordinance, or any member of said Council, so to do, and then shall have power to call to their assistance the *posse comitatus* if necessary in making such arrests; and upon failure of such Marshal to perform his duty he shall be liable to such fines and penalties as said Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment: *Provided,* That the imprisonment provided for in this Section shall not deprive the party so imprisoned of his right to trial and sentence hereinbefore provided. Guard House. Powers of arrest and commitment. Imprisonment before trial. Duties of marshals. *Posse comitatus.* Costs. Proviso.

SEC. 26. The said Council shall have full power and authority to abate all nuisances, wholly or partly within the corporate limits of said town, to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the duties of said Board. Abatement of nuisances.

SEC. 27. Said Town Council shall have power to borrow money for the public use of the corporations, and to issue from time to time, as occasion may require, the bonds of the corporation for the payment of the principal and interest, of which said town shall be at all times liable: *Provided,* The property of the inhabitants of said town shall be bound for the redemption of said sum Loans. Bonds. Security.

A. D. 1892.

so borrowed and the interest thereon in no other way than by the imposition of an annual tax: *Provided, further,* That a majority of the owners of real estate situate within the corporate limits of said town shall first vote in favor of issuing said bonds, and the Town Council shall give thirty days' notice of the time and place of holding an election for such purpose.

Election to authorize debt.

Report to successors.

SEC. 28. The members of each Council shall, within thirty days after the expiration of their term of office, and at the time of the qualifying of the members of the new Council, make and deliver to the members of such new Council a full and accurate account of their receipts and expenditures during the term for which they were elected. And they shall likewise publish at the end of each year after the beginning of their term of office a full statement of their receipts and expenditures during the preceding year.

Annual report.

Surrender of property to successors.

SEC. 29. At the expiration of the term of office of any Council, it shall be their duty to pay over to their successors any money in their hands or under their control at the time of making such returns belonging to said corporation, and likewise to deliver up promptly, at the end of their term, all books, property, records, or other property incident to their said offices, to their successors; and on failure so to do they shall each be liable to the punishment prescribed by the 30th Section of this Act.

Penalty for failure.

SEC. 30. For any willful violation or neglect of duty, malpractice, abuse or oppression, the Intendant or Warden so offending shall be liable to punishment by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, besides being liable for damages to any person injured by such neglect, malpractice, abuse or oppression.

Penalties prescribed.

Actions for injuries.

SEC. 31. Any person who shall receive bodily injury or damages in his person or property through a defect in any street, causeway, bridge or public way, or by reason of defect or mismanagement of anything under the control of the corporation within the limits of such town, may recover, in an action against the same, the amount of actual damages sustained by him by reason thereof. If any such defect in a street, causeway or bridge existed before such injury or damage occurred, such damage shall not be recovered by the person so injured if his load exceeded the ordinary weight: *Provided,* The said corporation shall not be liable unless said defect was occasioned by its neglect or mismanagement: *Provided, further,* Such person has not in any way brought about such injury or damage by his or her own negligent act or negligently contributed thereto.

Restrictions.

Proviso.

Contributory negligence.

Approved December 24th, A. D. 1892.

AN ACT RELATING TO THE REVISION, DIGEST AND ARRANGEMENT OF THE STATUTE LAWS OF THIS STATE. A. D. 1892. No. 47.

Whereas, this General Assembly has learned with regret, by his own report, that the Honorable John J. Maher, heretofore appointed Commissioner under the terms of an Act entitled "An Act to provide for the revision, digest and arrangement of the Statute Laws of the State of South Carolina," approved December 23rd, 1889, is unable, on account of his ill health, to complete the work allotted to him under the terms of the said Act, and the Act amendatory thereof, approved December 23rd, 1891. *And, whereas,* it appears upon examination there is due to the Honorable John J. Maher for work done by him under the terms of the Act last mentioned the sum of one thousand dollars, such sum to cover the balance due by him to Thomas S. Moorman for annotation of the decisions of the Supreme Court of this State required by the terms of the said mentioned Act. *And, whereas,* it appears that there still remains in the Treasury a balance of $1,500 of the amount originally appropriated under and by the said Acts for the compensation of the said Commissioner, and also the sum of $167 of the amount originally appropriated for clerical assistance for the said Commissioner.

Preamble. 20 Stat., 296. 20 Stat., 1054. Recital of amount due. Of amount unused.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said John J. Maher is, at his own request, relieved from any further connection with the said work.

Judge Maher relieved.

SEC. 2. That the sum of one thousand dollars be paid to the said John J. Maher out of the amount heretofore appropriated for the work so done by him under the terms of the said Act of December 23rd, 1891, upon condition that the said John J. Maher do turn over to the Commissioner to be appointed under the terms of this Act all notes and annotations and work done by him under the provisions of the said Acts or either of them.

Appropriation for work done. Condition.

SEC. 3. That the Governor of this State be, and he is hereby, authorized to appoint some fit and competent person to complete the work contemplated and provided for in the said Acts, including proper indices to all parts thereof.

Governor to appoint Commissioner.

SEC. 4. That the compensation to be paid to the said Commissioner shall be the sum of fifteen hundred dollars, and that he be further allowed to expend the unexpended balance of one hundred and sixty-seven dollars above mentioned for such clerical assistance as he may find necessary, such expenditures to be

Compensation. Clerical assistance.

A. D. 1892. accounted for to the Comptroller-General on proper vouchers: *Provided*, That the said Commissioner be appointed upon the condition that the said work shall be entirely completed and be submitted to the General Assembly at its next session in November, A. D. 1893, and that the amount hereby appropriated, to wit, the sum of fifteen hundred dollars, to be taken and received by him as full compensation for all of the said work.

Condition of appointment.

Report. Printing. SEC. 5. That the report of the said Commissioner be submitted to the next General Assembly in print, and that the printing thereof be done by the Public Printer.

Approved December 24th, A. D. 1892.

No. 48. AN ACT TO AMEND SUBDIVISION 4 OF SECTION 155 OF THE CODE OF CIVIL PROCEDURE, RELATING TO THE SERVICE OF SUMMONS IN CIVIL ACTIONS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Subdivision 4 of Section 155 of the Code of Civil Procedure of this State be, and the same is hereby, amended so as to read as follows:

Amendment.

Service of summons. 4. In all other cases to the defendant personally, or to any person of discretion residing at the residence or employed at the place of business of said defendant.

Approved December 24th, A. D. 1892.

No. 49. AN ACT TO AMEND SECTION 186, 187 AND 188 OF CHAPTER XI, TITLE III, OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE ASSESSMENT AND TAXATION OF PROPERTY.

SECTION 1. Be *it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 186, 187 and 188 of the General Statutes of this State be, and the same are hereby, amended so as to read as follows:

Amendment.

A. D. 1892.

SECTION 186. The Treasurer of the State, Secretary of State, Comptroller-General and Attorney-General of the State, and the Chairman of the Board of Railroad Commissioners of this State, shall constitute a State Board of Assessors, a majority of whom shall constitute a quorum for the transaction of business, who shall meet at the office of the Comptroller-General on the second Wednesday of May annually, or as soon thereafter as the Comptroller-General shall notify said Board that the returns of the several railroad companies have been filed in his office, and shall determine and assess the value of the property of railroad companies whose roads are wholly or partially in this State, returned to the Comptroller-General under the provisions of this Chapter, increasing the value of the road and property of such company or companies as shall have been in their judgment returned at too low a valuation, and diminishing the values of such as may have been returned at too high a valuation. They shall keep a record of their proceedings, which shall be signed by all of the members present and deposited with and kept by the Comptroller-General; and a majority of the members present shall be competent to decide all questions which may come before said Board.

State Board of Assessors of railroad property.

Time of meeting.

Assessment.

Changes of valuations.

Record.

Decisions.

SECTION 187. The Comptroller-General shall certify to the County Auditor of each County in which any railroad or part thereof may be located the valuations of railroad property in said County as determined and assessed by the State Board of Assessors, with all additions made to or deductions from the valuation of the property of any railroad company in said County by the State Board of Assessors; and the County Auditor shall charge the railroad company or companies in the several cities, towns, townships and incorporated villages of their County, for taxation, with the valuations determined and assessed by the State Board of Assessors.

Comptroller General to certify to Auditors.

Auditors to charge taxes.

SECTION 188. If any railroad company or its officers shall fail to make the returns to the Comptroller and to each County Auditor in each County in which such railroad or part thereof may be located, as herein required, on or before twentieth day of February annually, the State Board of Assessors shall proceed to ascertain the value of said companies' road and property, according to the principles prescribed herein, from the best information they can conveniently obtain, and add thereto fifty per centum as penalty, and apportion the same to the several Counties, towns, townships, cities and incorporated villages through or into which said road or any part thereof may be located, and the Comptrol-

Proceedings in case of no return.

Penalty.

A. D. 1892, ler-General shall certify the same to the several County Auditors, who shall place the same on their duplicates for taxation.

Auditors to be certified.

Approved December 24th, A. D. 1892.

No. 50. AN ACT TO REPEAL SECTION 271 OF THE GENERAL STATUTES OF SOUTH CAROLINA, REQUIRING COUNTY TREASURERS TO PUBLISH A NOTICE OF THE TOTAL RATE PER CENTUM OF LEVIES FOR STATE PURPOSES AND FOR ALL OTHER PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two hundred and seventy-one (271) of the General Statutes of the State of South Carolina be, and the same is hereby, repealed.

Section repealed.

Approved December 19th, A. D. 1892.

No. 51. AN ACT TO AMEND SECTION 996 OF THE GENERAL STATUTES OF THE STATE, RELATING TO THE POWERS OF THE STATE BOARD OF EXAMINERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 996 of the General Statutes of the State be, and the same is hereby, amended by striking out subdivision 5th thereof and inserting in lieu thereof the following:

Gen. Stat., § 996, amended.

Subd. 5 as amended.

5th. To prescribe and to enforce, as far as practicable, the use of a uniform series of text books in the free public schools of the State, except in the city of Charleston and special school districts established by special Act of of the Legislature; to enter into an agreement with the publishers of the books prescribed, fixing the time of prescription and the price above which the books shall not be retailed during the period of prescription, and a rate of dis-

Text books to be prescribed.

Contract with publishers.

Price.

count at not less than that which the books shall be furnished to the retail dealers in this State; to require the publishers, in the discretion of the Board, to establish one or more depositories of their books within the State at such place or places as the Board may designate, and where such books may be obtained without delay; and to exact of the publishers a bond in the sum of not more than five thousand dollars conditioned for the faithful performance of the agreement, and with a penalty of twenty-five dollars for each violation of the agreement, the form and execution of the bond to be approved by the Attorney-General of the State, which agreement and bond shall be deposited with the State Treasurer, all recoveries thereon to go into the State Treasury for school purposes: *Provided,* That the State Board of Examiners shall not have power, without permission of the General Assembly of the State, to change a text book within five (5) years from the date of its adoption, except for violation of the agreement entered into by its publisher with the State Board of Examiners, for which cause it may be changed by the said Board and the publisher be liable to forfeit the sum of twenty-five dollars for each violation, which amount shall be recoverable from the publisher on his bond.

A. D. 1892.

Depositories.

Bond of publishers.

Penalty.

Form, &c., of bonds.

Proviso as to changes.

Forfeit.

Approved December 15th, A. D. 1892.

AN ACT TO AMEND SECTION 1002 OF THE GENERAL STATUTES OF THE STATE, RELATING TO THE APPORTIONMENT OF THE FREE PUBLIC SCHOOL FUND. No. 52.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1002 of the General Statutes of the State, relating to the apportionment of the free public school fund, be, and the same is hereby, amended by striking the word "average" after the words "in proportion to the" in the third line of said Section, so as to make said Section conform to the provisions of the Constitution of the State. So that said Section, when amended, shall read as follows:

Gen. Stat., § 1002 amended.

SECTION 1002. He shall annually, on the first day of February, or as soon as practicable thereafter, apportion the income of

Section as amended.

A. D. 1892.

Apportionment of school fund.

the County school fund among the several school districts during the preceding school year of his County in proportion to the number of pupils attending the free public schools in each district, and he shall certify such apportionment to the County Treasurer. He shall, at the same time, when deemed advisable by the County Board of Examiners, apportion from the income of the two mill tax on property a sum not exceeding two hundred dollars to defray the expenses of Teachers' Institutes conducted under regulations prescribed by the State Superintendent of Education, which sum shall be drawn on his warrant upon the County Treasurer, approved by the other two members of the County Board of Examiners. He shall take duplicate vouchers for such expenditures and file the same, with an itemized statement, with the State Superintendent of Education.

Expenses of Teachers' Institutes.

How drawn.

Vouchers.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Counties excepted.

SEC. 3. That the provisions of this Act shall not apply to the Counties of Abbeville, Charleston, Beaufort, Berkeley, Sumter, Richland, Aiken, Barnwell, Georgetown, Colleton, Hampton, Williamsburg and Clarendon.

Approved December 20th, A. D. 1892.

No. 53. AN ACT TO AMEND SECTION 1004 OF THE GENERAL STATUTES OF THE STATE, RELATING TO THE BRANCHES TO BE TAUGHT IN THE FREE PUBLIC SCHOOLS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one thousand and four of the General Statutes be, and the same is hereby, amended by adding thereto the following words: "And such other subjects as the State Board of Examiners may from time to time direct." So that said Section when amended shall read as follows:

Gen. Stat., § 1004, amended

Section as amended.

SECTION 1004. It shall be the duty of the County Board of Examiners, and of the Boards of Trustees hereinafter provided for, to see that in every school under their care there shall be taught, as far as practicable, orthography, reading, writing, arithmetic, geography, English grammar, history of the United States and

Branches to be taught.

of this State, the principles of the Constitution and laws of the United States and of this State, morals and good behavior, and such other subjects as the State Board of Examiners may from time to time direct. A. D. 1892.

Approved December 15th, A. D. 1892.

AN ACT TO AMEND SECTION 1008 OF THE GENERAL STATUTES, SO AS TO PROVIDE COMPENSATION FOR DIVIDING COUNTIES INTO NEW SCHOOL DISTRICTS. No. 54.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the word "it" in fourth line in Section 1008 and before the word "every" in said line there shall be inserted the words following: And they are authorized and empowered to make contracts for dividing off new school districts, and payment therefor shall be made out of the school fund of the school district or districts from which new school districts are formed. So that said Section when amended shall read: Gen. Stat., § 1008, amended

SECTION 1008. Each County Board of Examiners shall divide their County into convenient school districts for all purposes connected with the general interest of education and redistrict the same whenever in their judgment the general good requires it. And they are authorized and empowered to make contracts for dividing off new school districts, and payment therefor shall be made out of the school fund of the district or districts from which new school districts are formed. Every school district organized in pursuance of this Chapter shall be a body politic and corporate by the name and style of School District No. ——, (such number as may be designated by the County Board of Examiners,) of ——— County, (the name of the County in which the district is situated,) the State of South Carolina, and in that name may sue and may be sued, and be capable of contracting and being contracted with to the extent of the funds in their possession, and holding such real and personal estate as it may come into possession of by will or otherwise, or as is authorized to be purchased by the provisions of this Chapter, all of which shall be used exclusively for school purposes. Each school dis- Division into school districts. Contracts for division. Incorporation and name. Powers of corporation.

A. D. 1892. Management.

trict shall be under the management and control of the Board of School Trustees hereinafter provided for.

Approved December 20th, A. D. 1892.

No. 55. AN ACT TO AMEND SECTION 1016 OF THE GENERAL STATUTES, IN RELATION TO REPORTS AND PAY OF TEACHERS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1016 of the General Statutes be, and the same is hereby, amended by inserting in the twelfth line after the word "if" and before the word "approved" the following words: "Accompanied by a copy of said monthly report and." So that the sentence just preceding the last of said Section, when so amended, shall read as follows:

Gen. Stat., § 1016, amended

When warrant to issue to teacher.

"On the filing of the teacher's report and its approval by the Board of Trustees, their clerk shall draw an order in duplicate on the County Treasurer for the amount due such teacher, which order, if accompanied by a copy of said monthly report and approved by the County School Commissioner, shall be countersigned by him and the duplicate filed in his office."

Approved December 15th, A. D. 1892.

No. 56. AN ACT TO AMEND SECTION 1026 OF THE GENERAL STATUTES, RELATING TO THE PUBLIC SCHOOLS IN THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1026 of the General Statutes of this State, wherein provision is made for the City Board of School Commissioners of the city of Charleston and a special levy in aid of the city schools, be amended by striking out the last sentence in said Section, which is as follows: "The City Treasurer shall receive out of this fund

Gen. Stat., § 1026, amended

Compensation of City Treasurer.

one thousand dollars annually for all services in receiving and disbursing the school fund," and by inserting in lieu thereof the following: The City Treasurer shall receive out of this fund annually for his compensation for all services in receiving and disbursing the school fund the sum of five hundred dollars. A. D. 1892.

Approved December 15th, A. D. 1892.

AN ACT TO AMEND SECTION 1087 OF THE GENERAL STATUTES, RELATING TO DAMAGES CAUSED BY DEFECTIVE HIGHWAYS, CAUSEWAYS OR BRIDGES. No. 57.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1087 of the General Statutes be amended so as to read as follows: SECTION 1087. Any person who shall receive bodily injury or damages in his person or property through a defect caused by or in the negligent repair of a highway, causeway or bridge may recover, in an action against the County, the amount of actual damages sustained by him by reason thereof: *Provided*, Such person has not in any way brought about such injury or damage by his own act, or negligently contributed thereto. If such defect in any road, causeway or bridge existed before such injury or damage occurred, such damages shall not be recovered by the person so injured, if his load exceeded the ordinary weight. *Provided, further*, That such County shall not be liable unless such defect was occasioned by its neglect or mismanagement. Amendment. Recovery provided for. Provisoes.

Approved December 19th, A. D. 1892.

AN ACT TO AMEND SECTION 1178 OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN RUNNING STREAMS, BY ADDING THERETO THE COUNTIES OF PICKENS, SPARTANBURG AND YORK. No. 58.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1178 of the General Statutes of this State be, and the same is hereby, amended by adding thereto the following: "and Gen. Stat., § 1178, amended

A. D. 1892.

in the Counties of Pickens, Spartanburg and York in the month of August in each year." So that said Section when amended shall read as follows:

Clearing of streams.

SECTION 1178. All land owners of the Counties of Anderson, Beaufort, Chester, Greenville, Oconee, Union, Fairfield, Laurens, Newbery and Abbeville shall remove from the running streams of water upon their lands all trash, trees, rafts and timber during

Seasons.

the months of May and August in each year, and in the Counties of Pickens, Spartanburg and York in the month of August in each year.

Approved December 24th, A. D. 1892.

No. 59. AN ACT TO FURTHER REGULATE THE ADMISSION OF PATIENTS TO THE STATE LUNATIC ASYLUM, AND TO AMEND SECTION 1591 OF THE GENERAL STATUTES, AS TO THE NUMBER OF DAYS A PATIENT CAN BE RETAINED AND THE NUMBER OF REGENTS TO SIGN THE ORDER OF RETENTION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on

Papers to be forwarded to Asylum.

and after the passage of this Act the Sheriff or other person in charge of any patient ordered to be conveyed to the State Lunatic Asylum, whether such patient be a beneficiary or a pay patient, shall transmit the papers, or certified copies thereof, on which the order or commitment was based, to the Superintendent of the

And patient to be retained until ordered forward.

Asylum for inspection, and hold such patient without expense to the Asylum until notified by said Superintendent that the patient can be received into the Asylum; and any Sheriff or other person violating the requirement of this Section by conveying a patient

Otherwise Sheriff to pay expenses.

to the Asylum before receiving notice from the Superintendent so to do shall be required either to keep charge of such patient in the city of Columbia or to furnish transportation back home and to the Asylum again when notified that such patient can be received.

Gen. Stat., § 1591, amended.

SEC. 2. That Section 1591 of the General Statutes be, and the same is hereby, amended, so as to read as follows: No lunatic, idiot or epileptic who may be declared a fit subject for the institution by a Trial Justice and two physicians, or who shall be sent

A. D. 1892.

from a sister State, shall be retained in the institution more than ten days after the first meeting of the Board of Regents, subsequent to his admission, except where there shall be entered in the record of the institution an order for his retention, made after full examination of his state of mind by the medical attendant or attendants and not less than two of the Regents, and upon such order being made it shall be the duty of the Secretary of Regency to make out a certified copy of the declaration of the Trial Justice and physicians, and of the order of retention, and immediately send the same to the Judge of Probate of the County wherein such lunatic, idiot or epileptic shall reside, who shall thereupon make such order in relation to the custody of the estate of the said subject as would have been made had the proceedings been under a writ *de lunatico inquirendo*.

Lunatic, &c., not to be retained more than 10 days.

Unless order for retention is entered on record.

Copy order of retention to be sent to Probate Judge.

Who shall take order for custody of estate.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND SECTION 1796 OF THE GENERAL STATUTES AS AMENDED BY ACT OF 1889, APPROVED DECEMBER 23D, A. D. 1889. No. 60.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1796 of the General Statutes, as amended by the Act of 1889, No. 238, approved 23d December, 1889, be amended by striking out the word "or" between the words "Vice-Consul" and "consular agent," and inserting after the word "Vice-Consul" the words "Deputy Consul," and after the words "consular agent" the words "commercial agent, or any other officer appointed by the United States in foreign countries with the power to administer oaths." So that the said Section as amended shall read as follows:

Gen. Stat., § 1796, amended.

SECTION 1796. When any *femme covert* shall relinquish her right of dower in any real estate and acknowledge the same in writing, if she be within this State, in open Court or before any Judge of the Court of Common Pleas, Justice of the Supreme Court, Judge of Probate, Clerk of the Court of Common Pleas, Trial Justice or Notary Public; or, if she be without this State, before a Commissioner of Deeds of this State, or before a Com-

Section as amended.

Who may take renunciations of dower.

A. D. 1892.

missioner appointed by *dedimus*, or before any Consul, Vice-Consul, Deputy Consul, consular agent, commercial agent of the United States, or any other officer appointed by the United States in foreign countries with the power to administer oaths and having an official seal, or a Clerk of a Court of record, or before a Notary Public, who must each append to the certificate the official seal used by him, and in the case of the certificate of a Notary Public his official character must be attested by a Clerk of the Court of record of the County in which he may reside, and such acknowledgement shall be recorded, the same shall be effectual in law to convey and pass away the right of such *femme covert*, although she has not executed or acknowledged any deed of conveyance for that purpose.

Official character of Notary to be attested.

Approved December 19th, A. D. 1892.

No. 61. AN ACT TO AMEND SECTION 1826 OF THE GENERAL STATUTES OF SOUTH CAROLINA, IN RELATION TO "DISTRESS FOR RENT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1826 of the General Statutes of South Carolina, relating to distress for rent, be, and the same is hereby, amended, by adding to the end of said Section the words: "*Provided*, That nothing herein contained shall interfere with, or in any manner abridge, the right of such lessor or landlord to take or seize any or all of said goods and chattels, wherever they may be found, as a distress for arrears of rent, when any tenant so in arrears shall make an assignment for the benefit of his creditors." So that said Section shall read:

Gen. Stat., § 1826, amended

Proviso as to assignments.

SECTION 1826. Nothing herein contained shall extend, or be construed to extend, to empower such lessor or landlord to take or seize any goods or chattels as a distress for arrears for rent which shall be sold *bona fide* and for a valuable consideration before such seizure is made; and no property shall be seized under a distress warrant for such, except such as belongs to the tenant in his own right: *Provided*, That nothing herein contained shall interfere with, or in any manner abridge the right of, such lessor or landlord to take or seize any or all of said

Section as amended.

Goods of tenant alone to be distrained.

Rent not defeated by assignment for creditors.

goods and chattels, wherever they may be found, as a distress for arrears of rent, when any tenant so in arrears shall make an assignment for the benefit of his creditors." A. D. 1892.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND SECTION 2500 OF THE GENERAL STATUTES, SO AS TO INCLUDE WILLFUL, UNLAWFUL AND MALICIOUS INJURY TO PERSONAL PROPERTY. No. 62.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2500 of the General Statutes be amended by inserting the words otherwise injure after the word wound and before the words or destroy on the second line of said Section, so that said Section as amended shall read as follows: Section 2500 amended.

SECTION 2500. Whoever shall willfully, unlawfully and maliciously cut, shoot, maim, wound, otherwise injure or destroy, any horse, mule, neat cattle, hog, sheep, goat or other personal property, the goods and chattels of another, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined and imprisoned at the discretion of the Judge before whom the case shall be tried. Section as amended. Offenses prescribed. Punishment.

Approved December 19th, A. D. 1892.

AN ACT TO AMEND SECTIONS 2503 AND 2504 OF THE GENERAL STATUTES, RELATING TO THE MARKING, BRANDING OR DISFIGURING OF CERTAIN ANIMALS THEREIN MENTIONED. No. 63.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2503 of the General Statutes be, and the same is hereby, amended so as to read as follows: Gen. Stat., § 2503, amended

Whoever shall be lawfully convicted of willfully and knowingly marking, branding or disfiguring any horse, mare, gelding, Penalty for marking, &c., larger animals of another.

A. D. 1892.

filly, ass, mule, bull, cow, steer, ox or calf of, or belonging to, any other person, shall for each and every horse, mare, gelding, colt, filly, ass, mule, bull, cow, steer, ox or calf which he shall or may be convicted of marking, branding or disfiguring as aforesaid, be subject to a penalty of one hundred dollars or to imprisonment for a term not exceeding six months, or both, in the discretion of the Court; and in case the said offender shall

Second offense.

afterwards repeat or commit a like offense, on conviction thereof he shall be liable to a fine of two hundred dollars, or to imprisonment for a term not exceeding one year, or both, in the discretion of the Court, for each and every horse, mare, gelding, colt, filly, ass, mule, bull, cow, steer, ox or calf by him so marked, branded or disfigured.

Section 2504 amended.

SEC. 2. That Section 2504 of the General Statutes be, and the same is hereby, amended so as to read as follows:

Penalty for marking smaller animals of another.

Whoever shall be lawfully convicted of willfully and knowingly marking, branding or disfiguring any sheep, goat or hog of, or belonging to, any other person, shall, for each and every sheep, goat or hog which he shall or may be convicted of marking, branding or disfiguring, as aforesaid, be subject to a penalty of twenty-five dollars or to imprisonment for a term not exceed-

Second offense.

ing twenty days; and in case the said offender shall afterwards repeat or commit a like offense, on conviction thereof he shall be liable to a fine of fifty dollars or to imprisonment for a term not exceeding thirty days for each and every sheep, goat or hog by him so marked, branded or disfigured.

Approved December 24th, A. D. 1892.

ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA.

PART II.

Special Acts and Joint Resolutions.

AN ACT TO CHANGE THE NAME OF ISADORA ISABELLA ATKINSON TO MOLLIE HAMLIN BLACKWELL, AND TO ENABLE HER TO INHERIT FROM JAMES HARRELL BLACKWELL AND MARTHA ISADORA BLACKWELL.

A. D. 1892.
No. 64.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Isadora Isabella Atkinson be, and the same is hereby, changed to that of Mollie Hamlin Blackwell, and she is hereby made capable of inheriting any estate, real or personal, from the said James Harrell Blackwell and Martha Isadora Blackwell, or either of them, to the same extent and in the same manner as if she had been born a child of the said James Harrell Blackwell and Martha Isadora Blackwell.

Name changed.

Enabled to inherit.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 65.

AN ACT TO DECLARE GEORGIA ANNA GASTON, WILLIAM BELTON GASTON AND LULA GENEVA GASTON LEGITIMATE CHILDREN OF WILLIAM R. GASTON AND LUCY GASTON, AND TO ENABLE THEM TO INHERIT FROM SAID PARTIES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whereas Georgia Anna Gaston, William Belton Gaston and Lula Geneva Gaston are children born to William R. Gaston and Lula Gaston, and subsequently to their birth the said parents were duly and legally married, and are desirous of having their said issue legitimated, the said Georgia Anna Gaston, William Belton Gaston and Lula Gaston are hereby declared legal heirs as children, of the said William R. Gaston and Lucy Gaston, and shall inherit from them in the same manner as if they had been born in wedlock.

Parentage declared.

Legitimated.

Approved December 22nd, A. D. 1892.

No. 66. A JOINT RESOLUTION TO ALLOW MRS. MARY GREEN TO RECEIVE THE BENEFITS OF "AN ACT TO PROVIDE FOR THE RELIEF OF CERTAIN SOLDIERS, SAILORS AND WIDOWS OF SOLDIERS OR SAILORS OF THE LATE WAR BETWEEN THE STATES," APPROVED DECEMBER 24TH, 1887.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Mary Green be, and is hereby, allowed to receive the benefits of an Act entitled "An Act to provide for the relief of certain soldiers, sailors and widows of soldiers or sailors of the late war between the States," approved December 24th, 1887, notwithstanding her subsequent marriage.

Pension allowed.

19 Stat., 896.

Notwithstanding her remarriage.

Approved December 24th, A. D. 1892.

AN ACT TO ENABLE JOHN H. MARION TO APPLY FOR ADMISSION TO THE BAR.

A. D. 1892.

No. 67.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John H. Marion, a minor, be, and hereby is, permitted to apply for admission to the bar upon his graduation at the Law School of the South Carolina College with the degree of Bachelor of Laws, and the Supreme Court is hereby authorized, upon the proper motion being made, to admit the said John H. Marion to all the privileges granted by Section 2160 of the General Statutes of South Carolina to persons applying for permission to practice as attorney at law.

Authorized to apply.

And be admitted.

Approved December 20th, A. D. 1892.

AN ACT TO CHANGE THE NAME OF R. ADAM SEAY TO R. ADAM LYBRAND, AND ENABLE HIM TO INHERIT FROM GEORGE W. LYBRAND.

No. 68.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of R. Adam Seay, son of John Adam Seay, of Lexington County, be, and the same is hereby, changed to R. Adam Lybrand, and in case George W. Lybrand shall die intestate the said R. Adam Lybrand shall inherit from him in the same manner as if he had been born his legal heir.

Name changed.

Enabled to inherit.

Approved December 24th, A. D. 1892.

AN ACT TO CHANGE THE NAME OF HENRY TILLMAN YODER TO HENRY YODER TILLMAN, AND TO ENABLE HIM TO INHERIT FROM J. WREN TILLMAN AND MARY E. TILLMAN.

No. 69.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1892. in General Assembly, and by the authority of the same, That
Name changed. the name of Henry Tillman Yoder be, and the same is hereby,
changed to that of Henry Yoder Tillman, and that he be enabled
Enabled to inherit. to take by inheritance in the manner provided by the laws of this
State upon the death of J. Wren Tillman and his wife Mary E.
Tillman, or either of them, intestate, any property, real or personal, that they or either of them may leave at the time of their or either of their deaths, the same as if he had been born a child of the said J. Wren Tillman and Mary E. Tillman.

Approved December 20th, A. D. 1892.

No. 70. AN ACT TO INCORPORATE "THE AMERICAN BOND INVESTMENT COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Frank
Incorporation. S. Williams, Charles W. Zaring, David B. Simpson and Frank D. Pavey, and all persons who shall become associated with them, and their successors, are hereby constituted and declared a body
Name. politic and corporate, forever, by the name and style of "The American Bond Investment Company."

Purposes. SEC. 2. The general purpose of the corporation and the nature of the business which it proposes to do is the accumulation, loan and investment of funds, and the purchase, sale, development and improvement of property, real, personal or mixed, for the benefit of its members. And for the purpose of carrying out the
Powers. objects of its incorporation, the said "The American Bond Investment Company" is hereby authorized and fully empowered as follows:

Works of improvement. First. To buy and sell, construct, equip, own and operate, water works, irrigation works, steam-heating works, gas works, electric light and power works, street railways, to be operated by any power permitted by the laws and ordinances of the municipality where located, and all other works of municipal improve-
Stocks. ment, and to buy, own, hold and sell the stock of, and own, control, manage and operate, companies organized for any of the purposes above named.

Real estate. Second. To own and manage real estate, and contract for, buy,

A. D. 1898.

hold, mortgage, exchange, sell, convey, let, lease, improve, repair and build upon land and real estate; to buy and sell, own, open, develop, work, operate and cultivate agricultural and stock farms, plantations, ranches and timber lands, and any mine or mines of coal, iron, copper, silver, gold, or any other minerals or metals, and to use, sell and market the products thereof; to buy, own, hold, exchange, and sell, all live stock, supplies, implements and machinery necessary for the purposes aforesaid.

Farms, mines, &c.

Live stock, supplies, &c.

Third. To buy, own, hold and sell all kinds of public and private stocks and bonds, the stock of national, State or private banks, notes, drafts and bills of exchange, policies of insurance, life, fire or marine, and other securities, and to exercise all rights and powers incident to or connected with such ownership.

Brokerage and banking.

Fourth. To borrow and loan money, issue its own bonds or other evidence of indebtedness, and sell, negotiate and pledge the same, to such amounts, upon such terms, and in such manner, as may from time to time be determined by the said Directors, and to mortgage all or any part of its property, assets and franchises to secure such bonds and the interest thereon, at such times and on such terms and conditions as shall be prescribed by its Directors, and generally to do all things incidental to said business and the management thereof throughout the world which said corporation may legally do.

Loans and bonds.

Mortgage.

General powers.

Capital stock.

SEC. 3. The amount of the original capital stock of said corporation shall be five hundred thousand ($500,000) dollars, and shall be divided into five thousand (5,000) shares of the par value of one hundred ($100) dollars each. The said original capital stock shall be known as common stock, and may be issued in exchange for money, labor, services, or property, at such prices and upon such terms as may be mutually agreed upon between the Directors of said corporation and the subscribers to said stock. The common stock when so issued shall be deemed fully paid up, and shall not be liable to any further calls or assessments, nor shall the holders thereof be subject to any liability thereon.

In what payable.

Additional stock.

SEC. 4. The said "The American Bond Investment Company" shall have power, and is hereby authorized, to issue and sell additional stock to any amount not exceeding two million ($2,000,000) dollars, at such times and in such amounts as the Board of Directors of said company may direct. The said additional stock, so issued as aforesaid, shall be divided into twenty thousand (20,000) shares of the par value of one hundred ($100) dollars each, and shall be payable in money only. The said stock

Shares.

A. D. 1892.

shall be known as preferred stock and shall be entitled to such preference over the common stock in the payment of principal or dividends, or both, as may be fixed by the terms of the articles of subscription to the said stock. The subscribers to and holders of said preferred stock shall be liable upon each share thereof subscribed for or held by them respectively to the extent of the amount that may be unpaid thereon up to the par value thereof and no more.

Preferred stock.

Liabilities.

Place of meetings.

SEC. 5. All meetings of the incorporators, stockholders or Directors of the said "The American Bond Investment Company" may be held in any State or Territory of the United States, or in the District of Columbia, as may be determined by the by-laws. The first meeting of the incorporators for the purposes of organization, election of Directors, and adoption of by-laws, shall be held at such time and place as may be mutually agreed upon by a majority thereof. All subsequent meetings of the stockholders and Directors, including the annual meeting of the stockholders for the election of Directors, shall be held at such time and place and under such notice as may be determined by the by-laws. The principal office of the corporation may be kept in any State or Territory of the United States, or in the District of Columbia, as may be determined by the by-laws.

Primary meeting.

Subsequent meetings.

Principal office.

Rights and liabilities.

SEC. 6. The said "The American Bond Investment Company" shall be subject to all the liabilities and provisions, except as hereinabove provided, and entitled to all the rights, powers and privileges of an Act of the General Assembly entitled "An Act to provide for the formation of certain corporations under General Laws," approved December 23d, A. D. 1886, and of the amendmendments thereof existing and in force at the date of the passage of this Act.

19 Stat., 540.

Repealing clause.

SEC. 7. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Public Act.

SEC. 8. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of without special pleading, and shall take effect immediately upon its approval by the Governor.

When to take effect.

Approved December 22nd, A. D. 1892.

AN ACT TO INCORPORATE THE CAROLINA FARM AND LAND COMPANY.

A. D. 1892.

No. 71.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William E. Huger, Julian Mitchell, Jr., and J. Lamb Perry, and such persons as they may associate with themselves, their successors and assigns, be, and they are hereby, declared a body politic and incorporate, under the name of "Carolina Farm and Land Company," and by that title shall have perpetual succession, and be capable in law of purchasing, leasing, holding, using, letting, improving, selling and disposing of real and personal property; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever proper or necessary for the purposes of such corporation; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make such by-laws for the government of such corporations as are consistent with this Act and the laws of this State; and generally may do every act or thing necessary or proper to promote the objects and design of such corporation as authorized by this Act.

Incorporation.

Name and powers.

By-laws.

Other powers.

SEC. 2. The capital stock of said corporation shall be fifty thousand dollars, to be divided into shares of one hundred dollars each. The said capital stock to be paid in such installments and such amounts as the corporation shall by its by-laws or its authorized board or officers direct; and whenever the books of said corporation shall show net earnings equal to a dividend of six per cent. per annum on the par value of the capital stock, the said corporation may issue the stock to the subscribers thereof. But such issue shall not relieve the subscribers to the stock from liability upon their unpaid subscriptions. The capital stock of the said corporation may be increased from time to time, as the corporation may see fit, to the aggregate par value of five hundred thousand dollars, in the manner provided by Sections 30, 31 and 32 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23rd December, A. D. 1886.

Capital stock.

How paid.

When issued.

Increase of capital stock.

19 Stat., 540.

SEC. 3. All subscriptions to the capital stock of said corporation and any increase thereof shall be payable in current funds, labor or property, real or personal, in such manner and on such

Subscriptions, how payable.

A. D. 1892.

terms as may be directed or agreed upon by the corporation or its officers or agents thereto duly authorized; and the said corporation is hereby authorized to issue stock and preferred stock for subscriptions thereto and in payment for labor or property, real or personal, on such terms as may be agreed on by the said corporation or its agents thereto duly authorized.

Issue of stock.

Voting.

SEC. 4. Each share of said stock on which all installments have been paid shall entitle the holder thereof to one vote at all meetings of the stockholders of such corporation. Only such holders of stock shall be entitled to vote as have been duly registered as such on the books of the corporation, except that the personal representatives of a deceased person and the guardians and committees of persons minor or insane shall be entitled to vote all stock standing in the names of the persons so deceased or their wards.

Representatives.

Shares of stock.

SEC. 5. The capital stock of said corporation shall be deemed personal property, and transferable on the books of the corporation only in such manner as the by-laws shall direct. And any of the owners of the lands or personal property herein authorized to be purchased by the said corporation may take stock for the same as may be agreed on between them and the corporation.

Stock for property.

Purposes and powers.

SEC. 6. That the said corporation is authorized and empowered to carry on a general planting, trading, farming, stock, cattle, drainage and land business, and for such purposes to acquire, own and lease real and personal property, and again to let, hire, sell and dispose of the same; to make and operate by steam and other power tramways and railways on its leased and hired lands, and thence to any accessible railroad, highway or waterway not exceeding five miles in length; and to own and control rights of way, vessels and rolling stock for that purpose, and to erect pumps, wharves, warehouses, engines, workshops, machinery shops, stores, dwellings, structures and improvements; to construct wells, aqueducts, canals and reservoirs; to dig and make canals and drains for the purposes of drainage and irrigation from the lands used or owned by the corporation to any accessible stream or outlet, and for that purpose to condemn and acquire a sufficient right of way, and with the right to drain through and into all public canals, leads and drains, and for such purposes is hereby empowered to use, clear and clean out, deepen and improve any such public canals, leads and drains; and with the right further to cross any public or other highway, and to build bridges across any navigable stream: *Provided,* That no such

public canal, lead or drain shall be thereby in any wise injured for its use as such canal, lead or drain, and every and any canal dug and constructed by such corporation under the powers of condemnation in this Act given shall be so dug and constructed as to fully protect from overflow or inundation therefrom the lands of any person through whose lands the same may pass: *And provided, further,* That all such crossings or highways shall be made and all bridges across navigable streams constructed in accordance with existing laws and so as not to obstruct the proper and convenient use of such highways and streams. A. D. 1892. Proviso.

SEC. 7. All rights of way condemned and acquired by such corporation for railway or canal purposes shall be condemned and acquired in the manner prescribed by law at the time for the condemnation of rights of way by railroad corporations and the statutes in reference to drainage over the lands of another. Rights of way.

SEC. 8. That said corporation shall have the right to sell, let or dispose of to other persons or corporations water or water rights from any such canals or reservoirs as they may construct for irrigating purposes, and may in like manner sell, let or otherwise dispose of the right to drain through and by means of any such canals as they may construct for drainage purposes. And said corporation is further authorized and empowered to issue its notes, bonds or other evidences of indebtedness in such form and for such amounts as the corporation shall prescribe, and to mortgage, pledge and in any way bind all the property, real and personal, to secure the payment of the same. Water and water rights. Drainage. Notes and mortgages.

SEC. 9. That as soon as such corporation is organized it shall file a certificate under the hands of its President and Secretary in the office of the Secretary of State to the effect that the same has been organized, and stating the location of its principal office, which shall be taken and deemed as the place of residence of such corporation; but such corporation may, for its own convenience, establish offices in any other part of this State. Certificate of organization. Location.

SEC. 10. That the stockholders in said corporation shall be liable in the manner and to the extent prescribed in Subdivison A of Section 22 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23d December, A. D. 1886. Liability of stockholders. 19 Stat., 540.

SEC. 11. That all the corporate powers and franchises hereby granted shall cease and determine at the expiration of fifty years from the date of this Act. Duration.

Approved December 24th, A. D. 1892.

A. D. 1892. AN ACT TO INCORPORATE THE OAK GROVE MINING COMPANY.

No. 72. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. E. Hertz, J. A. Hertz, and their associates and successors, be, and are hereby, made and created a body corporate and politic, for the purpose of carrying on any kind of mining or manufacturing business, with a capital of thirty thousand dollars, to be divided into three hundred shares of one hundred dollars each, which shall be immediately issued, allotted and taken up.

Incorporation and purposes.

Capital stock.

How payable. SEC. 2. The subscriptions to the capital stock of the company may be paid in money or in labor, or property at its money value, to be named in the list of subscriptions.

Powers. SEC. 3. The company shall have all the power usual and appropriate to similar corporations, and more especially shall have the following powers: To have perpetual succession; to sue and be sued by the corporate name; to have a common seal and to alter the same at pleasure; to render the shares or interest of the stockholders transferable and to prescribe the mode of making such transfer; to make contracts, borrow money, loan money, and acquire, transfer and mortgage property, both real and personal, possessing the same powers in such respects as individuals would enjoy; to establish by-laws and make all rules and regulations deemed expedient for the management of their affairs, not inconsistent with the Constitution and laws of this State or the United States.

By-laws.

Increase of capital stock. SEC. 4. The said company shall have power from time to time to increase their capital stock to any amount not exceeding one hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general meeting, or the Board of Directors, by their authority, shall determine. And such additional stock shall be divided among the stockholders in proportion to their shares of the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the company may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or to make up such increase; such additional stock shall be subject to all the same

How divided.

Assessment prohibited.

provisions, restrictions and conditions as are directed by the provisions of this Act, and any such additional subscribers shall thereby become members of this company and subject in like manner, in proportion to their interests, to all the burthens, liabilities, responsibilities and conditions imposed upon the members of this company.

Provisions as to additional stock.

SEC. 5. That if the proprietor of any share shall neglect to pay any installment assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell by public auction a sufficient number of shares standing in the name of such stockholders to pay all the installments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same three weeks successively before the sale in one of the Charleston newspapers; and a bill of sale of the share or shares so sold made by the Treasurer shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof. No stock for any share shall be issued till the entire amount due upon the subscription therefor has been paid to the company, and the company shall have a lien upon the stock of each stockholder till such entire amount has been paid.

Sale of shares of defaulters.

Notice of sale.

Issue of stock.

Lien.

SEC. 6. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditor was created: *Provided,* That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: *And provided, further,* That persons holding stock in such company as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate or the ward or person interested in said trust estate would have been if they had respectively been living and competent to act and hold the stock in their own name.

Liability of stockholders.

Proviso.

Trustees, &c.

A. D. 1892.

Officers.

Mining powers.

SEC. 7. The said company shall have such number of officers, and for such terms of office, as shall be fixed by its by-laws; and shall have the power, in addition to its other powers, to dig and mine for either marl, phosphate rock or minerals; to manufacture the same and such other material as it may buy into chemicals and fertilizers; to carry on trade therewith, and to cultivate such lands as it may own.

Public Act.

Duration.

SEC. 8. This Act shall be deemed a public Act, and continue of force for twenty years.

Approved December 15th, A. D. 1892.

No. 73. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SUPREME COUNCIL OF THE SONS OF THE ELECT," APPROVED DECEMBER 23, A. D. 1886.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Supreme Council of the Sons of the Elect" be, and the same is hereby, amended by inserting after the word "land," at the end of the third line of said Section, the words "to issue dispensations for the institution of subordinate lodges in any part of the State, said subordinate lodges to be subject to such by-laws, rules and regulations as may be imposed by the Supreme Lodge, not repugnant to the laws of the land." So that said Section as amended shall read as follows:

A. A. 1886, 92. 19 Stat., 502, amended.

Subordinate lodges.

Succession and powers.

Subordinate lodges.

Other powers.

Property rights.

SECTION 2. That the said association shall have succession of officers and members according to its by-laws, and shall have power to make by-laws not repugnant to the laws of the land; to issue dispensations for the institution of subordinate lodges in any part of the State, said subordinate lodges to be subject to such by-laws, rules and regulations as may be imposed by the Supreme Lodge, not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to sue and be sued, plead and be impleaded, in any Court in this State, and to have and enjoy every right incident to incorporation. It is empowered to retain, possess and enjoy all such property, real and personal, as it may now possess, or be entitled

to, or which shall hereafter be given, bequeathed to or in any manner acquired by it, and to sell, alien or in any way transfer the same, or any part thereof: *Provided*, The amount of property so held shall not exceed one hundred and fifty thousand dollars. A. D. 1892. Limit.

Approved December 15th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE UNION BANK OF SOUTH CAROLINA AND LONDON," APPROVED DECEMBER 24TH, A. D. 1891. No. 74.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Union Bank of South Carolina and London," approved December 24th, A. D. 1891, be. and said Act is hereby, amended by adding thereto an additional Section to be known and designated as Section 10, which said Section 10 shall read as follows: A. A. 1891, 20 Stat., 1456, amended.

SECTION 10. The nominal capital stock of the said corporation is hereby increased from five million ($5,000,000) dollars to twenty millions ($20,000,000) dollars, to be divided into shares of five hundred ($500.00) dollars each, of which one hundred (100) shares shall be founders' shares and the remainder shall be ordinary shares, and the said founders' shares shall be numbered from 1 to 100 inclusive, and the subscribers to the first fifty shares of the said founders' shares shall be liable to all the obligations and entitled to all the advantages conferred by Sections six (6) and seven (7) of the said the original charter Act, of which this shall be Section 10 as aforesaid. Additional Section. Capital stock. Founders' shares. Liability.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE BERKELEY RAILROAD COMPANY. No. 75.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1892.

Incorporation and purposes.

Route of road.

the formation of a corporate company is hereby authorized for the construction, maintenance and operation of a railroad, commencing at or near Monck's Corner, in the County of Berkeley, and running to or near Ferguson's, in said County, as the said company, when formed, may determine upon, which said company shall have the exclusive right to construct, maintain and operate such railroad or any portion or section thereof.

Corporators.

SEC. 2. That this charter, with the rights, privileges and franchises incident thereto, is hereby granted to A. S. Emerson, J. P. K. Bryan, Stephen Jennings, A. F. Ravenel, T. W. Boardman, E. J. Dennis, C. S. Gadsden, and such other persons as may be associated with them, their successors and assigns; and

Rights and limitations.

the said company shall have all the rights, powers and privileges, and be subject to all the liabilities, provisions and limitations,

19 Stat., 171.

set forth and contained in an Act entitled "An Act to provide for and regulate the incorporations of railroad companies in this State," approved December 23rd, 1885.

Name.

SEC. 3. That the name of said company shall be "The Berkeley Railroad Company."

Capital stock.

SEC. 4. That the capital stock of said company shall be three hundred thousand dollars, in shares of fifty dollars each, with the privilege of increasing such capital stock in such amounts as the said company from time to time may, by a majority vote of its stockholders, determine, to carry out the purposes of this Act:

Limit.

Provided, That said capital stock shall at no time exceed the sum of five hundred thousand dollars.

Books of subscription.

SEC. 5. That a majority or any three of the aforesaid corporators shall give one week's notice of the opening of the books of subscription in any newspaper published in Charleston, S. C., to be kept open for thirty days from date of such first notice. And whenever the sum of fifty thousand dollars ($50,000) is subscribed to the capital stock of said company, the said corpora-

Meeting for organization.

tors, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for the meeting of said stockhold-

Notice.

ers, of which two weeks' notice shall be given in such newspapers of this State as they may deem necessary, at which time and place the said stockholders may proceed to the organization of

Directors and President.

said company by the election of six Directors, which said Directors shall elect one of their number to be President of said com-

Term of office.

pany. The said Board of Directors and the said President so elected shall hold their offices for one year and until their successors are elected.

A. D. 1892.

Transfers, leases, &c.

SEC. 6. That any lease, transfer or consolidation of the company hereby incorporated shall be submitted to a meeting of the stockholders, and be ratified by three-fourths of said stockholders, before the same shall be legal or binding.

May cross highways, &c.

SEC. 7. That the said company shall have power, if need be, to conduct their railroads across and over any public road, river or creek, water or water courses that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Use of streets.

SEC. 8. That the said railroad company be, and they are hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which they may pass, or at which their road may terminate, to construct their tracks through one or more of the public streets or ways of such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public highway through which the said railroad may be constructed or extended.

Proviso.

Operation of completed sections.

SEC. 9. That the said railroad company is further authorized and empowered, forthwith upon the completion or acquirement by purchase, lease or consolidation, as hereinbefore provided, of any portion or section of said railroad between any points through which the same may be run under this charter, to operate and maintain such portion or section with all the rights, powers and privileges hereby granted to said company.

Rights of way.

SEC. 10. The said railroad company may have the right to condemn for its right of way fifty feet on each side of the centre of their roadbed.

Defaulting stockholders.

SEC. 11. That if any stockholder shall fail to pay the installment required of him on his share or shares by the President and Directors, or a majority of them, within one month after the call for the same has been made and advertised in one or more of the papers published in this State, it shall and may be lawful for the President and Directors, or a majority of them, to sell at public auction and convey to the purchasers the share or shares of such stockholders so failing or refusing to pay, giving twenty days' notice of the time and place of such sale, and, after retaining the sums due and all expenses incident to the sale, shall pay the surplus to the former owner or his legal representative; and any purchaser of the stock of the company, under the sale of the President and Directors as aforesaid, shall be subject to the same rules and regulations as the original proprietor.

Sale of shares.

Surplus.

Purchase of stock.

A. D. 1892.

Public Act.

SEC. 12. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in the said company and their successors for and during the period of fifty years or until repealed, to be computed from the time of the approval of this Act.

Duration.

Time for construction limited.

SEC. 13. It is hereby provided that the said road shall be completed for at least ten miles of its length from Monck's Corner within two years after the passage of this Act, and the balance thereof as soon after as practicable, or this charter, or so much thereof as shall not be completed within five years of its date, shall then become forfeited.

Approved December 24th, A. D. 1892.

No. 76. AN ACT TO AMEND SECTION 2 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE CATAWBA FALLS RAILROAD COMPANY," APPROVED DECEMBER 11TH, 1891, SO AS TO PROVIDE FOR AN EXTENSION TO COLUMBIA, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Catawba Falls Railroad Company," approved December 11th, A. D. 1891, be amended so as to read as follows:

A. A. 1891, 62, 20 Stat., 1148, amended.

Route of railroad.

SECTION 2. That the said company shall have power and authority to build, construct and operate a railroad, beginning at the North Carolina line, thence down Catawba River to Catawba Falls, or as near as may be deemed expedient, thence by the most practicable route to Winnsboro, S. C., and thence by the most practicable route to Columbia, S. C.; to acquire by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.

Property rights.

Other powers.

Approved December 24th, A. D. 1892.

AN ACT TO EXTEND THE TIME WITHIN WHICH THE "GLENN SPRINGS RAILROAD COMPANY" IS REQUIRED TO COMMENCE AND COMPLETE THE CONSTRUCTION OF SAID RAILROAD, AND TO CONTINUE IN OFFICE THE PRESENT OFFICERS OF SAID COMPANY UNTIL THEIR SUCCESSORS ARE ELECTED.

A. D. 1892.
No. 77.

Preamble.
18 Stat., 911.
20 Stat., 1169.

Whereas by an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Glenn Springs Railroad Company,'" approved December 26th, 1884, and Acts amending the same, and an Act to validate and confirm certain acts of said company, approved December 23d, 1891, it is provided that the construction of said railroad shall be commenced on or before first of January, 1893, and completed on or before January 1, 1896, and that the present organization of said company be continued for one year from the approval of said Act; now, therefore,

Time for construction extended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time within which the "Glenn Springs Railroad Company" is required to commence and complete the construction of said railroad shall be so far extended as to allow the construction of said railroad to be commenced on or before January 1st, 1895, and completed within three years thereafter.

Officers continued.

SEC. 2. That the present officers of said company may continue to discharge the duties of their respective offices until their successors are elected by the stockholders of said company at a meeting to be held within one year from the approval of this Act, notice of which meeting shall be published for thirty days in one or more papers published in the city of Spartanburg, whose term of office shall be for one year and until their successors are elected; and all the official acts of the present officers of said company, not inconsistent with the laws of this State, and of said Act of December 24th, 1884, and Acts amendatory thereof, are hereby declared to be legal and valid.

Notice of meeting.

Term of office.

Acts confirmed.

Proviso as to township bonds.

SEC. 3. The extension herein granted is upon the express provision that no bond of any township which shall be issued under the provisions of the said Act of December 24th, 1884, and Acts amendatory thereof, shall be issued and used for the purpose of aiding in the construction of said railroad in any township other than that for which said bond was issued, and only after the grading of such railroad has reached such township.

When to take effect.

SEC. 4. This Act shall take effect immediately upon its ap-

A. D. 1892. proval. That all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Repealing clause.

Approved December 19th, A. D. 1892.

No. 78. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE CHESTERFIELD AND KERSHAW RAILROAD COMPANY," APPROVED DECEMBER 24TH, A. D. 1889, IN RELATION TO THE TIME AND MANNER OF THE DELIVERY OF BONDS SUBSCRIBED AND TO BE SUBSCRIBED TO THE CAPITAL STOCK OF SAID COMPANY, AND TO AUTHORIZE THE COMPANY TO BUILD A BRANCH ROAD FROM A POINT ON SAID ROAD TO THE TOWN OF SUMTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Chesterfield and Kershaw Railroad Company," approved December 24th, A. D. 1889, be, and the same is hereby, amended by striking out all of Section eleven (11) in said Act, and inserting in lieu thereof the following, so that when amended said Section shall read as follows:

A. A. 1889, 811; 20 Stat., 405, amended.

Section as amended.

SECTION 11. In case the majority of the ballots cast shall have written or printed thereon "Subscription," then the Chairman of the Board of County Commissioners in all cases of County elections shall be authorized and required to subscribe to the capital stock of said company, in behalf of said County, the sum which may have been fixed and named in the resolution of said Board, published as aforesaid, which subscriptions shall be made in six per cent. coupon bonds as aforesaid, with interest thereon payable annually; and if a majority of the ballots cast in any city or town election shall be for subscription, the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town in like manner and to the like extent as the County Commissioners are required herein in case of County subscriptions: *Provided, however,* That the bonds representing the subscription of any County, city or town shall be issued and placed in escrow in such bank or trust company as the County Commissioners or city or town authorities issuing the same may select; the said bonds to be held in trust

Subscriptions to be made by Counties.

Amount.

Bonds.

Subscriptions by towns.

Bonds to be put in escrow until road is completed.

by such bank or trust company and to be delivered by such bank or trust company to the corporate authorities of the said Chesterfield and Kershaw Railroad Company as herein provided: *Provided,* That said railroad company shall build said railroad with iron or steel rails in first class style; and upon such building and completion of every section of five miles of said railroad in the style and manner aforesaid, within the County of Chesterfield, then said bank or trust company shall deliver to said railroad company such proportion of the whole of the bonds subscribed by said County as five miles bears to the whole number of miles traversed by said railroad in said County: *Provided, further,* That said bank or trust company shall before such delivery detach and destroy all interest coupons then past due, said bonds to be delivered in exchange for the stock of said company at par as aforesaid: *Provided, further,* That in case of the subscription of bonds to the capital stock of said railroad company by any other County or by any town or city under the provisions of this Act, the foregoing provisions in this Section as to the delivery of bonds subscribed and to be subscribed by Chesterfield County shall apply and be observed: *Provided, further,* That such railroad company shall have power, and they are hereby authorized, to construct a branch railroad from any point on said railroad line in Chesterfield County to the town of Sumter in Sumter County, but no portion of the subscription herein provided for the County of Chesterfield shall be used in the construction of said branch railroad.

A. D. 1892.

Character of road.

Delivery of bonds.

Past due coupons to be detached.

Same provisions as to other Counties.

Branch road to Sumter.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE EDISTO ISLAND RAILROAD COMPANY. No. 79.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. S. Gadsden, E. P. McSwiney, E. Mikell Whaley, Swinton Whaley, Daniel T. Pope, Julian Mitchell, H. A. M. Smith, Townsend Mikell, M. M. Seabrook, and W. L. Beckett, and such other persons as they may associate with them, and their successors, be, and they are hereby, created a body politic and incorporate.

Incorporation.

A. D. 1892.

Name.

SEC. 2. That the name and style of the company shall be the Edisto Island Railroad Company.

Organization.

SEC. 3. That whenever the sum of seven thousand ($7,000) dollars shall have been subscribed to the capital stock of the said company, payable in money, work, labor, material, or real or personal property, the said incorporators, or majority of them, shall, within a reasonable time thereafter, appoint a time and place of meeting of said incorporators, of which fifteen (15) days' notice shall be given by advertisement in the News and Courier of the city of Charleston, at which time and place the said subscribers may proceed to the organization of the said company by the election of such officers as the said subscribers as stockholders may determine.

Notice of meeting.

Officers.

Capital stock.

SEC. 4. The capital stock of the said company may be increased from time to time, as the stockholders may determine, in the manner prescribed by Sections 30, 31 and 32 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23rd December, 1886, to any sum not exceeding three hundred thousand ($300,000) dollars, subscriptions to which may be made in money, work, labor, material, or real or personal property, as may be agreed upon between the subscribers and the said company or its officers thereto lawfully authorized; and such capital stock shall be in shares of one hundred ($100) dollars each and may transferable in such a manner as the by-laws may direct. And each share of said stock on which all installments have been paid shall entitle the holder thereof to one vote at all the meetings of the stockholders of such corporation.

19 Stat., 548.

Limit.

How payable.

Shares.

Voting.

Route of road.

SEC. 5. Said company is hereby authorized and empowered to own, operate and construct a railroad from any convenient point on Edisto Island, by convenient route, to some convenient point on the line of the Charleston and Savannah Railway Company between Ravenel's and Adams Run Stations on said road; and may, for such purposes, acquire all real and personal property necessary or proper therefor; and shall have all the corporate rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23rd, A. D. 1885.

Property rights.

Rights and limitations.

19 Stat., 171.

Crossing highways.

SEC. 6. The said corporation, hereby incorporated, shall have the right, for the purposes aforesaid, to cross any public or other highway or highways, and to build a bridge or bridges across any

navigable stream or streams: *Provided, however,* That all such crossing of highways shall be made, and all such bridges across navigable streams, in accordance with existing laws, and so as not to obstruct the proper and convenient use of such highways and streams.

A. D. 1892.

Bridges.
Proviso.

SEC. 7. That this Act shall cease and be utterly null and void unless five miles of said railroad shall have been built and equipped within five years from the date hereof.

Limitation of time.

SEC. 8. This Act shall be a public Act, and shall take effect from its passage, and remain in force for the term of fifty (50) years.

Public Act.
When to take effect.
Duration.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE NORFOLK, WILMINGTON AND CHARLESTON RAILROAD COMPANY," APPROVED 24TH DECEMBER, 1891. No. 80.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Norfolk, Wilmington and Charleston Railroad Company," approved 24th December, 1891, be, and said Section 2 is hereby, amended so as to read as follows:

A. A. 1891, 20 Stat., 1172, amended.

SECTION 2. That the said company shall be, and is hereby, authorized to construct, maintain and operate a railroad, with any gauge, with one or more tracks, in this State, extending through the Counties of Horry, Georgetown, Berkeley and Charleston, and into and through the city of Charleston, upon the consent of the Mayor and Council of said city, and also a railroad, with any gauge, with one or more tracks, in the State of South Carolina, extending through any of the Counties of Marion, Marlboro, Darlington, Sumter, Kershaw and Richland, to the city of Columbia, the particular routes of the said railroads to be determined and located by the said company; and with the further privilege of building branch roads on either side of the routes from such points on either of the said routes and to such other points as the said company may deem expedient: *Provided,* That no such branch road shall exceed twenty miles in length;

Section 2 as amended.

Route of road to Charleston.

To Columbia.

Branch roads

Length.

A. D. 1892.

Bridges. and with the further privilege of building bridges across the Cooper River and other navigable streams upon the line or route of said railroad; such bridges to be built with suitable draws, and in compliance with the laws of this State and the United States.

Section 8 amended. SEC. 2. That Section 8 of said Act of incorporation be amended so that said Section 8 as amended shall read as follows:

County subscriptions. Exception. SECTION 8. That in addition to the subscriptions to the capital stock of the said company hereinbefore proposed, it shall and may be lawful for any County, except the County of Sumter, through which the said railroad may be located to subscribe to its capital stock such sum as a majority of the freehold voters thereof may authorize the County Commissioners to subscribe.

Section 9 amended. SEC. 3. That Section 9 of said Act of incorporation be amended so that said Section 9 as amended shall read as follows:

Elections to determine subscriptions. SECTION 9. That for the purpose of determining the amount of such subscription, it shall be the duty of the County Commissioners of any such County, upon a written application of one hundred of the owners of real estate of any such County, specifying the amount to be subscribed in money and bonds and the conditions of such subscriptions, to submit to the freehold electors of such County the question of "Subscription" or "No Subscription" to the capital stock of said company; and the said County Commissioners, having first by resolution of their Board fixed the amount proposed to be subscribed and the conditions of such subscriptions, according to the application submitted to them, shall have the power to order an election and to appoint managers according to law at each election precinct in such County, who shall, without compensation, hold and conduct said election in the same manner as State and County elections are held and conducted, at which election the ballots to be voted shall have written or printed thereon the words "Subscription" or "No Subscription," notice of said election and of the amount proposed to be subscribed and of the terms and conditions of such subscription, specifying the time, place and purpose of such election, being published at least once a week for four weeks immediately prior thereto, in one or more newspapers published in said County; and all expenses of such election to be paid by said railroad company.

Amount.

Managers.

Form of ballots.

Notice.

Expenses.

Section 12 amended. SEC. 4. That Section 12 of said Act of incorporation (entitled "An Act to incorporate the Norfolk, Wilmington and Charleston Railroad Company," approved December 24th, 1891,) be

amended so that Section 12 as amended shall read as follows: A. D. 1892.

SECTION 12. That the said bonds shall be issued by the Board of County Commissioners of the County authorizing such subscription, and shall be of the denominations of one hundred dollars, five hundred dollars and one thousand dollars, and payable in thirty years after the date thereof, and shall be delivered by the said Board to the said company at par: *Provided, however*, That the bonds representing the subscription of either of the Counties of Marion, Marlboro, Darlington, Kershaw and Richland shall be delivered to the said company only when the said railroad shall be fully built and constructed and fully railed with sixty pound steel rails in first class style through the County so subscribing, and then, and not until then, to be delivered by the said Board of County Commissioners to the said company; and the said Board of County Commissioners, before such delivery, shall detach and destroy all interest coupons which may be past due: *Provided, further*, That no bonds or money subscribed to the capital stock of said company by either of the said Counties of Horry, Georgetown, Berkeley and Charleston under the provisions of this Act shall be delivered or paid over to the said company until the construction and equipment of said railroad shall have been completed from the point on the North Carolina line where said railroad enters this State through said Counties to the town of Mt. Pleasant in Berkeley County; such construction to be in sixty pound steel rails in first class style, and such construction and equipment to be accepted and approved by the Railroad Commission of this State, who shall certify such approval and acceptance under their hands and seals to the County Commissioners of the respective Counties: *Provided, further*, That said subscription shall not exceed two thousand dollars per mile of such railroad in either of said Counties; and the said County Commissioners before delivering any bonds so subscribed to said railroad company shall detach and destroy all interest coupons which may be past due.

Issue of bonds.

Description.

Delivery of bonds.

Past due coupons to be detached.

When to be delivered.

Character of road.

To be approved by Railroad Commissioners.

Limit of subscription.

Past due coupons.

SEC. 5. That for the purpose of determining the amount of such subscriptions, it shall be the duty of the County Commissioners for the County in which such townships shall be respectively situated, upon a written application of ten of the owners of real estate in such townships respectively, specifying the amount to be subscribed in money and bonds, and the conditions of such subscriptions, to submit to the freeholders of such townships respectively the question of "subscription" or "no sub-

Election to determine subscriptions.

Mode of proceeding.

A. D. 1892.

scription" to the capital stock of said company; and the said County Commissioners shall then proceed, as is fixed and determined in the said Act in regard to County subscriptions, only applying the provision here made applicable to Counties to the townships thereof.

Township bonds

SEC. 6. That any and all township bonds issued by the County Commissioners of the County in which such townships so authorizing the issue thereof, as debts thereof.

Township agents.

SEC. 7. That the County Commissioners of the County in which such townships are respectively located are hereby constituted and made the corporate agents of such townships respectively.

Approved December 24th, A. D. 1892.

No. 81. AN ACT TO INCORPORATE THE NORTH AUGUSTA RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Incorporation.

formation of a corporate company is hereby authorized for the

Route of road.

construction and operation of a railroad, the route of which is from a point upon the Savannah River at or near the city of Augusta, in the State of Georgia, in Aiken County, through the lands of the North Augusta Land Company, by or through the town of Graniteville, in Aiken County, to such point at, in or near the town of Aiken, in Aiken County, as the company may determine upon.

Corporators.

SEC. 2. That this charter, with its rights and privileges incident thereto, is hereby granted to Pat Calhoun, Thomas P. Branch, Walter M. Jackson, D. B. Dyer, Patrick Walsh and William T. Gary, and such other persons as they may associate with them, and their successors and assigns, and that said com-

Rights and limitations.

pany shall have all the rights, powers and privileges, and be subject to all liabilities, provisions and limitations, set forth in an Act

19 Stat., 171.

entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23rd, 1885.

Name.

SEC. 3. That the name of said company shall be North Augusta Railroad Company.

Capital stock.

SEC. 4. That the capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, with power by vote of the Directors of said corporation to increase the same at any time and from time to time to an amount not to exceed one million dollars.

Increase.

Organization.

SEC. 5. When the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators or a majority of them shall within a reasonable time thereafter appoint a time and place for a meeting of said stockholders, of which ten days' notice shall be given in such newspaper or newspapers in this State as they deem necessary; at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three Directors, or as many more as the by-laws to be adopted may determine; which said Directors shall elect one of their number to be the President of said company. The said Board of Directors and said President so elected shall hold their offices for one year and until their successors are elected.

Notice.

Directors and President.

Term of office.

Leases, transfers, &c., to be ratified.

SEC. 6. That any lease, transfer or consolidation of the company hereby incorporated shall be submitted to meeting of stockholders and be ratified by a majority of the stockholders before the same shall be legal.

Crossing of highways, &c.

SEC. 7. That the said company shall have power, if need be, to construct their railroad along, across and over any public road or roads, rivers, creeks, water or water courses that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Use of streets.

SEC. 8. That the said railroad company be, and it is hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which the railroad may pass, or at which the railroad may terminate, to construct their route and tracks through one or more of the public streets or ways of such towns or cities and to extend the same to any or all of the wharves or landings in such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct the use of any street or public way through which the said railroad may be constructed or extended.

Extension to wharves.

Precautions to be taken.

Branch roads.

SEC. 9. That the said railroad company shall have the right, and is hereby authorized and empowered, to construct and operate branch roads from their main line whenever in their judgment it is to their interest to do so, and to purchase or lease any railroad with which it may connect.

Purchase and lease.

A. D. 1892.

Rights of way. SEC. 10. That said railroad company shall have the right to condemn and take or acquire for its right of way one hundred feet on each side of the centre of its road bed.

Motive power. SEC. 11. That said railroad company shall have the power, and it is hereby authorized, to use horses, mules, steam, electricity or any other motive power in drawing its cars which is now used or known or which hereafter may be discovered or utilized, and when practicable to use water or steam to generate the motive power, which may also be used for lighting the roadway, streets and roads and public and private buildings and for such corporations and individuals as it may contract to furnish light.

Steam.

Other uses.

Banking business. SEC. 12. That said corporation is further authorized and empowered to do a general banking business whenever in the judgment of its stockholders it may be to their interest to engage in the same in accordance with the terms of the law in such cases made and provided.

Approved December 24th, A. D. 1892.

No. 82. AN ACT TO RECOGNIZE THE SOUTH BOUND RAILROAD COMPANY, INCORPORATED IN THE STATE OF GEORGIA, AS THE SAME INCORPORATION AS THAT INCORPORATED IN THE STATE OF SOUTH CAROLINA UNDER THE SAME NAME; TO PROVIDE FOR THE LEASING OF THE SAID COMPANY, AND THE EXTENSION OF ITS CHARTER.

Preamble. *Whereas*, under an Act of the Legislature of the State of Georgia, approved September 27th, 1881, entitled "An Act to provide a general law for the incorporation of railroads and to regulate the same," and the amendment thereto, Herman Myers, John L. Hammond and others obtained on the 5th day of November, 1888, from the Secretary of State a certificate of incorporation for the said The South Bound Railroad Company, and under the said charter organized the said company; *and whereas*, afterwards, to wit, on the 26th day of September, 1889, an Act was passed by the Legislature of this State, recognizing and confirming the said charter, and conferring additional powers and rights upon the said company; *and whereas*, prior to the said 5th day of November, 1888, the said The South Bound Railroad Company had been incorporated under the laws of the State of

See 17 Stat., 949; 19 *Id.*, 926; 20 *Id.*, 418, 763.

South Carolina by the said John L. Hammond and others, and the said corporators had organized under the said charter and subsequently had accepted the charters granted by the State of Georgia; *and whereas*, the said corporators and their associates have built and constructed a railroad under the said charters of Georgia and South Carolina as one corporation, have incurred obligations as one corporation, and are now operating the said railroad from the city of Savannah, in the State of Georgia, to the city of Columbia, in the State of South Carolina, as one corporation, under the name of the South Bound Railroad Company: A. D. 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said The South Bound Railroad Company as now constructed and operated between the said cities of Savannah and Columbia is hereby recognized as one and the same corporation, and the contracts made as one corporation are hereby recognized as valid and binding upon the said railroad company. Corporation recognized. Contracts validated.

SEC. 2. That the said The South Bound Railroad Company is hereby authorized and empowered to lease to some other railroad company its railroad and property: *Provided*, That it may not enter into any lease with a competing line of railroad calculated to defeat or lessen competition in this State; and that the said corporation shall continue fifty years from the date of this Act. Lease authorized. Limitation. Duration.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act are hereby repealed. Repealing clause.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE WADESBORO, WINNSBORO AND CAMAK RAILROAD COMPANY," APPROVED DECEMBER 24TH, 1890. No. 83.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to amend the charter of the Wadesboro, Winnsboro and Camak Railroad Company," approved December 24th, A. D. 1890, be, and the same is hereby, A. A. 1890, 30 Stat., 772, amended.

A. D. 1892.

amended, by adding thereto the following provisoes, so that said Section as amended shall read as follows:

Section 2 as amended.

SECTION 2. That the said company is hereby authorized to construct a railroad from a point on the North Carolina line by a

Route of road.

practicable route from Wadesboro, North Carolina, to Winnsboro, South Carolina, through the County of Lancaster, by or near the falls on Catawba River, thence to Winnsboro, and thence through the Counties of Lexington and Edgefield, by such route as the Directors of said company may deem most practicable, to a point on the Savannah River in the direction of

Change of route.

Camak, Georgia: *Provided*, That should the Directors of said company deem it expedient and for the best interests of said company to change the line or route of said railroad, as above set forth, they are hereby authorized and empowered to locate the line of said railroad, and begin the construction thereof, from Catawba Junction, at the intersection point of the Georgia, Carolina and Northern Railroad Company and the Charleston, Cincinnati and Chicago Railroad Company, or from any other point on the line of either of said railroad companies, through the Counties of York, Chesterfield and Fairfield, by and through the Town of Winnsboro, South Carolina, and from thence through the County

Extensions.

of Richland to the City of Columbia, in said State, or towards the Georgia line in the direction of Augusta or Camak, Georgia:

When to commence.

Provided, further, That the construction of said railroad may be commenced immediately at any point on the line or route of said railroad, so soon as the Directors or officers of said company

To be completed in five years.

shall have located the same, and said line shall be completed within five years, otherwise this charter to be null and void.

Repealing clause.

SEC. 2. That all Acts or parts of Acts in conflict with or repugnant to the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 84. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF ABBEVILLE TO CONTRACT WITH THE GEORGIA, CAROLINA AND NORTHERN RAILROAD FOR THE LOCATION OF CERTAIN RAILROAD SHOPS IN SAID TOWN AND TO CONTRIBUTE TO THE SAME," APPROVED DECEMBER 24TH, 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize and empower the Town Council of Abbeville to contract with the Georgia, Carolina and Northern Railroad for the location of certain railroad shops in said town and to contribute to the same," approved December 24th, 1890, be, and the said Act is hereby, amended, by striking out all of said Act after the enacting words and substituting in lieu thereof the following: A. D. 1892. A. A. 1890, 20 Stat., 786, amended.

SEC. 1. That the Town Council of Abbeville is hereby authorized and empowered to contract with the Georgia, Carolina and Northern Railway Company as to the location of such shops and other structures as the said railway company may determine to build and establish in said town. Contract for shops, &c., authorized.

SEC. 2. That the said Town Council of Abbeville is further authorized and empowered to contribute to the purposes enumerated in the Section 1 of this Act a sum of money not exceeding seventeen thousand dollars. Amount of contribution.

SEC. 3. That the said Town Council of Abbeville is hereby authorized and empowered to issue seventeen thousand dollars of seven per cent. bonds, if so much be necessary, interest payable annually, for the purpose of paying the sum that may be agreed upon for the purposes enumerated in Section 1 of this Act, in denomination of one hundred dollars each, payable in thirty years from the date of their issue. Said bonds shall be signed by the then Intendant of said town and Treasurer of said Council, and shall not he taxable for municipal purposes: *Provided*, The contract entered into by and between the said Town Council and said railway company be approved by a majority of the qualified electors of said town, who shall vote at an election to be held within thirty days after the approval of this Act. Issue of bonds. Denominations. How executed. Contract to be approved by electors.

SEC. 4. That the said Town Council shall have power, and are required, to order said election, giving at least five days' notice thereof in the newspapers of said town, specifying the time, place and purpose of the election, and to appoint three managers, who shall without compensation hold and conduct said election. At the election the ballots to be used shall have written or printed thereon the word "Approve" or "Reject," the Council having first fixed the amount proposed to be raised. Election. Managers. Form of ballots.

SEC. 5. That it shall be the duty of the managers to conduct the election, count the votes immediately after closing the polls, which shall be kept open from 8 A. M. till 4 P. M., and shall Conduct of election.

A. D. 1892.

declare the result as in other elections; which result they shall immediately certify in writing to the said Council.

Declaration of result.

Bonds to be issued.

SEC. 6. That in case a majority of the ballots cast shall have written or printed thereon "Approve," the said Council shall be authorized and required to proceed to issue the bonds provided for in Section 3 of this Act.

Annual assessment.

SEC. 7. That for the payment of the interest of said bonds, the Treasurer of said town shall be authorized and required to assess annually upon the property in the said town (Abbeville) such a per centum as shall be necessary to pay the interest on said bonds. This assessment shall be entered in the tax book for the said town under the name and style as "The tax raised to pay the interest on the bonds issued in furtherance of the contract with the Georgia, Carolina and Northern Railway Company," which assessment shall be collected by the said Treasurer under the same regulations as are provided by law for the collection of the other town taxes, which shall be paid over by the Treasurer to the holders of said bonds as the interest thereon shall become due and payable and the coupons presented.

Entry on tax books.

Collection.

Disbursement.

Tax levies to pay principal.

SEC. 8. That for the purpose of payment and redemption of said bonds, the said Treasurer shall, under the control and direction of the Town Council, assess such a per centum upon the property in said town, Abbeville, as may be necessary to raise an amount which shall be fixed by the said Council, not exceeding fifteen hundred dollars per annum, to be collected by said Treasurer as directed in Section 7 of this Act, which amount when collected shall be applied as rapidly as possible to the payments of said bonds; or if said bonds cannot be purchased at or near par, shall be invested in safe and available securities until said bonds can be bought: *Provided,* No assessment shall be made under this Section until fifteen years have elapsed from the date of the issue of said bonds: *Provided, further,* Should there be a balance in the hands of the Treasurer after paying the accrued interest, he shall transfer the same to the account of the sinking fund provided for in this Section.

Investments.

When to begin.

Transfer of balance.

Bond of Treasurer.

SEC. 9. That the said Treasurer before entering upon the duties herein specified shall execute and file with the Intendant of said town a bond for five thousand dollars with good security, to be approved by a majority of said Council. If the said Treasurer shall fail to execute the bond herein required, then the duty herein specified shall be performed by the County Treasurer for a like compensation, and he shall receive as remuneration for

Duty of County Treasurer.

his services two and one-half per cent. of the amounts received and of the amounts paid out by him under Sections 7 and 8 of this Act. A. D. 1892.

SEC. 10. That this Act shall be deemed a public Act and shall become of force immediately upon its approval. Public Act. When to take effect.

Approved December 17th, A. D. 1892.

AN ACT TO AUTHORIZE THE SCHOOL DISTRICT OF THE TOWN OF ABBEVILLE TO ISSUE ADDITIONAL BONDS AND LEVY AN ADDITIONAL TAX FOR SCHOOL PURPOSES. No. 85.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Trustees of the School District of the Town of Abbeville are hereby empowered to submit to the qualified voters resident in said school district, at an election to be held for that purpose, after at least ten days' notice, the question of authorizing an additional issue of seven per cent. bonds, not exceeding the amount of three thousand dollars, payable in thirty years from the first day of March, 1892, to be of the denomination of one hundred dollars each, and numbered from one hundred and twenty-one to one hundred and fifty, inclusive. Said Board of Trustees shall appoint the managers, receive the returns and declare the result of said election, and shall issue and sell bonds in the event that said election shall result in favor thereof. That all the provisions of Sections 6 and 7 of an Act entitled "An Act to provide for the establishment of a new school district in Abbeville County, and to authorize the issue of bonds by said school district and the levy of a local tax therein," approved December 18th, 1891, are hereby re-enacted as a part of this Act and are made applicable to the bonds hereby authorized and to the payment thereof. Election authorized. Additional issue of bonds. Duties of Board of Trustees. A. A. 1891, §§ 6 and 7, 20 Stat., 1198, made applicable.

SEC. 2. That said Board of Trustees are further empowered at the election hereinbefore authorized to submit to the qualified voters resident in said school district the question of an additional tax of two mills, if so much be necessary, for school purposes; and all the provisions of Sections 8 and 10 of the Act herein- Additional tax of 2 mills. A. A. 1891, §§ 8, 10, made applicable.

A. D. 1892.

before recited are hereby re-enacted and made applicable to said tax if said election shall result in favor thereof.

Public Act.

When to take effect.

SEC. 3. That this Act shall be deemed a public Act, and shall become of force immediately upon its approval.

Approved December 15th, A. D. 1892.

No. 86. AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENWOOD, SOUTH CAROLINA, PASSED ATT HE REGULAR SESSION, 1871 AND 1872, AND APPROVED MARCH 13TH, 1872," APPROVED DECEMBER 22D, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act to alter and amend the charter of the town of Greenwood, South Carolina, passed at the regular session, 1871 and 1872, and approved March 13th, 1872," approved December 22nd, 1891, be, and the same is hereby, amended so as to read as follows:

A. A. 1891, p. 20 Stat., 1196, amended.

Section as amended.

SECTION 1. That all persons residing in the town of Greenwood, South Carolina, are hereby declared to be a body politic and corporate by the name and style of the Town of Greenwood, and its corporate limits shall be an irregular polygon, the vertices of whose angles shall be at or near the following points and more fully described by the following lines: That the point of commencement of said line shall be, beginning at the Western corner of C. N. Calhoun's residence, it shall run Eastward to the junction of Cokesbury and Stony Point roads beyond the residence of B. F. Reynolds; from thence run Northeast of residence of late Capt. Tarrant to a large pine tree on the Abbeville road; thence it shall run Southward to a point on the New Market Road in a flat beyond residence of Joel W. Abney; from thence it shall run to the crossing on Columbia and Greenville Railroad at the union of lands of R. P. Pinson and J. B. Reid; from this crossing it shall run to the old Mathis road on a straight line West; from this point it shall run North along the Mathis road to the ford over Hard Labor Creek on a new cut road; from this point it shall run North to Western corner of C. M. Calhoun's residence, where survey began.

Incorporation and name.

Corporate limits

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 87.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ENABLE AND AUTHORIZE THE SCHOOL DISTRICT OF THE TOWN OF GREENWOOD TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING SCHOOL PROPERTY AND BUILDING PUBLIC SCHOOL HOUSE IN THE TOWN OF GREENWOOD," APPROVED DECEMBER 16, 1891, BY THE ADDITION OF ANOTHER SECTION, TO BE KNOWN AS SECTION 6.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to enable and authorize the school district of the town of Greenwood to issue bonds for the purpose of purchasing school property and building public school house in the town of Greenwood," approved December 16th, 1891, be, and the same is hereby, amended by the addition of a new Section, to be known as Section 6 thereof, which said Section shall read as follows:

A. A. 1891, 20 Stat., 1197, amended.

Section added.

"SECTION 6. That the County Auditor and the County Treasurer shall each receive as compensation for the discharge of the duties prescribed in Section 4 of this Act two per cent. of the amount collected by virtue of said Act."

Compensation of Auditor and Treasurer.

Approved December 24th, A. D. 1892.

No. 88.

AN ACT TO CREATE A SEPARATE SCHOOL DISTRICT FROM PORTIONS OF EDGEFIELD AND ABBEVILLE COUNTIES, TO BE KNOWN AS UNION SCHOOL DISTRICT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That those portions of Edgefield and Abbeville Counties lying within the following boundary lines to wit: Beginning in Gray Township, Edgefield County, on Cuffeetown Creek, at the Southern boundary of lands of J. W. Aiton, following said Southern boundary line in a Westerly direction to the old Winterseat road; thence following said road to Beaver Dam Creek; thence up Beaver Dam Creek to a point in Abbeville County one and one-half miles from the County line at its nearest point; thence running a line parallel with the County line and one and one-half miles from it to the Mathis

Boundaries of School District.

A. D. 1892.

road, thence following the Mathis road to the County line, thence running a line in a Southeasterly direction and at right angles with the County line for two miles into Edgefield County; thence running a line in a Southwesterly direction, and parallel with the County line, to Cuffeetown Creek (or to its intersection with the Northern boundary of Kirksey, No. 47, School District, and thence along said Northern boundary to Cuffeetown Creek); then from the intersection with Cuffeetown Creek following said creek to the starting point and making Cuffeetown Creek the line between the proposed School District and Kirksey, No. 47, School District, to be known as the Union School District.

Name.

Board of Trustees.

SEC. 2. That P. H. Adams, J. W. Aiton and J. M. Gaines be, and the same are hereby, constituted a Board of Trustees for the Union School District, who are to hold their office until their successors are elected and qualified.

Powers of Board.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st, To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees.

Studies.

2d. To determine the studies and class books to be used in the

Teachers.

schools of said district. 3d. To elect and dismiss the teachers, to fix their salaries, to prescribe their duties and terms of office, and to make rules for the government of the schools not inconsistent with the general school laws. 4th. To make an annual

Reports.

report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of the School Commissioner

Charge of property.

of Edgefield County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created.

Officers.

SEC. 4. That the Board of Trustees shall elect from its members a Chairman, also a Secretary and Treasurer; and that the

Bond of Treasurer.

Treasurer shall give a good bond in the penalty of five hundred dollars, conditioned for the faithful performance of his duties as such.

Meetings of Board.

SEC. 5. That the Chairman shall call meetings of the Board whenever, in his judgment, it is necessary, or whenever two members of the Board shall, in writing, request him to do so.

Local school tax.

SEC. 6. That the said school district is also hereby authorized and empowered to levy on all real and personal property returned in the said school district a local tax not exceeding three mills on the dollar in any one year, to supplement the general tax for the

A. D. 1892.

support of the schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the 25th day of January, 1893, and on or before the same day in each succeeding year, call a meeting in the said school district of all the freeholders living in the above named school district and returning real or personal property therein: *Provided,* That public notice of said meetings, specifying the time, place and object, shall be given at least ten days before said meeting by posting the same in three conspicuous places in said school district and by publishing the same at least twice in one of the newspapers having the largest circulation in the said school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of the said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees, and the County Auditor of Edgefield County, and the County Auditor of Abbeville County, of the amount of the tax thus levied on the property in their respective Counties, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district in their respective Counties, and the County Treasurers of said Counties shall collect such tax with the other taxes for the same year; and said tax shall be liable to like process and penalty as are State and County taxes.

How determined.

Meetings.

Notice.

Powers of meeting.

Tax.

No repeal of tax.

Notification, assessment and collection of tax

SEC. 7. The County Treasurers of the Counties of Edgefield and Abbeville shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of this law or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said School District.

Payment of Constitutional tax.

SEC. 8. That the County Auditors and County Treasurers of the Counties of Abbeville and Edgefield respectively shall each receive as compensation for the services prescribed by this Act a commission of two per cent. on the net amount collected by virtue of any special tax levied and collected in accordance with the provisions of this Act in their respective Counties.

Compensation to Auditors and Treasurers.

SEC. 9. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 10. This Act shall be deemed a public Act, and shall

Public Act.

A. D. 1892. take effect and be of full force immediately after the date of its passage.

When to take effect.

Approved December 24th, A. D. 1892.

No. 89. AN ACT TO INCORPORATE THE WARES SHOALS MANUFACTURING AND POWER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Albert Dial, J. O. C. Flemming, W. L. Gray, N. B. Dial and J. T. Johnson, of Laurens, S. C., J. T. Simmons, of Greenwood, S. C., and O. B. Simmons, of Mountville, S. C., and their associates and successors, be, and they are hereby, made and

Name and creation. created a body politic and corporate, under the name and style of the Wares Shoals Manufacturing and Power Company, to be located on land heretofore forming part of what was known as the Gains and Hart plantation on the Saluda River, in the Counties of Laurens and Abbeville in this State, for the purpose of

Purposes. manufacturing, spinning, dyeing, printing, finishing and selling all goods of every kind made of cotton or wool, or of which cotton, wool or other fibrous articles may form a part, and any other article of any nature or kind whatsoever which they may from time to time desire; for spinning and ginning cotton, grinding and milling wheat, corn and other grains, sawing lumber and selling merchandise, and for producing and making all machinery, tools and implements necessary to or used for such

Electricity. purposes; with power also to develop power by electricity and utilize the same; to erect wires for the transmission of such power to distant points, and to furnish and sell the same to

Works. other parties; to erect such dams, canals, mills, buildings, machine shops, stores, dwellings and other works as may be required or necessary to carry out any or all of such branches of manufacture and business, and also for the transaction of any and all business connected with the purpose so recited.

Property rights. SEC. 2. That said corporation may purchase and hold all such personal and real estate as may from time to time be required for its purposes, or such as it may be obliged or may deem it for its interest to take in settlement of any debts due to said corpo-

ration, and may dispose of the same in such manner and on such terms as it may deem proper; may sue and be sued; may have and use a common seal; shall have full power to lay off its lands into lots and parcels, and to lease, sell, donate or convey the same; to make sales, donations or loans of its lands, or other property, money or effects, to individuals or other corporations; to build and construct railroads, tramways or dummy lines, not exceeding twenty miles in length, and operate the same, taking for such carriage or transportation reasonable fare or tolls; and using such motive power, steam, water or electrical, as may be deemed best, in such directions as may be necessary or advisable in connecting the separate parcels of such property together, or in reaching other lines of transportation, or in the conduct or management of the business of the company, or in the construction or operation of mills, factories, workshops, machine shops, and all other industrial enterprises of like nature to those above enumerated; to lease, construct and operate, or to assist other persons or corporations, in such manner as the said corporation may deem desirable, in leasing, constructing, owning and operating mills, factories, workshops, or other industrial enterprises of like kind; to construct, own, rent and sell houses and other improvements, and to improve its lands in such manner as it may deem fit; to issue bonds from time to time in such amounts as it may deem proper, for the payment of money borrowed, or for its indebtedness, and to secure the same by mortgage or mortgages on the whole or any part of its property; to make such by-laws for the regulation and government of the said corporation in any and all matters whatsoever not inconsistent with the Constitution and laws of the United States and this State as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; and shall have also, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

A. D. 1893.

Other powers.

Railroads, &c.

Operation of mills.

Leasing rights.

Buildings and lands.

Bonds and mortgages.

By-laws.

General powers.

SEC. 3. The said corporation shall also have full power to do all acts necessary to open, construct and operate such system or systems of water works as it may deem advisable, and to extend and enlarge the same from time to time as it may deem necessary, drawing its water from such source or sources of water supply to such reservoirs or pumping station as may be most convenient; and it shall be a misdemeanor, punishable by fine or imprisonment, for any person in any way to defile or pollute the waters in any such source, water supply, canal, aqueduct or conduit

Water works.

Penalty for polluting waters.

A. D. 1892.

used or to be used by said company, or to obstruct or in any way damage the same, or divert the water therefrom, without permission from said corporation, or to carry off without permission, break, or injure, any pipe, cock, valve, machinery or other property that may be used in connection with said water supply, or to take water from any hydrant, cock or other fixture connected with said water works without permission from the said corporation, or for any person having charge or control of any hydrant or water pipe connected with said water works to allow or permit any other person to take, draw or use water from the same without permission from the said corporation, or for any person, by false key or otherwise, after the water shall have been shut off from any premises by said corporation, to cause or suffer the said premises to be again supplied with water from said water cocks without permission from said corporation.

Or other damage.

Penalty for using water.

Rights of condemnation.

SEC. 4. The said corporation shall have the right to condemn such property rights of way or water sources as may be necessary to enable said company, or the corporations organized by it or with its assistance, to successfully construct, erect and operate the said dams, railroads, railways, tramways, electric works, water works, telephone lines, on payment to the owner or owners thereof of just compensation, such property, rights of way or water courses to be condemned, and such compensation to be determined, in the manner now provided by law for the condemnation of lands and rights of way by railroad corporations.

Compensation.

Exercise of rights.

SEC. 5. The said corporation shall have authority to exercise and enjoy any and all of the purposes, powers and franchises herein conferred, either individually or by assisting other persons or corporations in the exercise of such or like purposes, powers and franchises, in such manner as said company may deem desirable.

Capital stock.

SEC. 6. The parties aforesaid shall have power to raise by subscription a capital for the said corporation of four hundred thousand dollars ($400,000), in four thousand (4,000) shares of one hundred dollars ($100) each: *Provided, however*, That a majority of the Board of Directors of the said corporation shall have the power from time to time, and as occasion may require, to increase the said capital stock to any extent not exceeding four million (4,000,000) dollars, whenever they deem proper so to do; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock.

Increase.

Liability of stockholders.

SEC. 7. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount,

besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided,* That such demand shall have been made payable within one year: *Provided, also,* That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, whilst he may remain a stockholder therein, or within one year after he shall have ceased to be such stockholder: *Provided, further,* That no person holding a share or shares as executor, administrator, trustee, or any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity. A. D. 1892. Provisoes. Trustees, &c.

SEC. 8. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings. Voting. Proxy.

SEC. 9. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto. Shares of stock.

SEC. 10. For the protection of the said corporation, no person or persons shall be allowed to sell or offer for sale any spirituous or malt liquors within three miles thereof; and any violation of this Section of this Act shall be deemed a misdemeanor, and any one upon conviction thereof in a Court of competent jurisdiction shall be punished by a fine of not more than one hundred dollars or imprisonment in the County jail for not more than six months, or both, for each and every offense, at the discretion of the Court. Sale of liquors prohibited. Penalties.

SEC. 11. All the corporate property of said corporation situate within the County of Laurens shall be exempt from County and township taxes for the period of ten years from the approval of this Act: *Provided,* Work on the factory is commenced in eighteen months from the date of the approval of this Act. Exemption from taxation. Proviso.

SEC. 12. The Governor of this State is hereby authorized and empowered to appoint some fit and proper person as Constable, Governor to appoint Constable.

A. D. 1892.

who shall reside at the principal place of business of the said corporation, and who shall before entering upon the duties of his office take the oaths prescribed in Section 865 of the General Statutes of this State. The Constable so appointed shall have jurisdiction in the Counties of Chester and Lancaster to the limit of five miles in each and every direction from the main factory building of the said corporation, and shall have all the powers and duties prescribed in Section 872 of the General Statutes aforesaid. In any arrest made by the said Constable, he shall carry the party or parties so arrested before the nearest Trial Justice in and for the County in which such arrest is made.

Oath.

Jurisdiction.

Duty on arrest.

Public Act. When to take effect.

SEC. 13. This Act shall be deemed and taken as a public Act, and shall go into effect from and immediately upon the date of its approval.

Approved December 24th, A. D. 1892.

No. 90. AN ACT TO AMEND THE EIGHTH SECTION OF AN ACT ENTITLED "AN ACT TO PROVIDE A MORE EFFICIENT SYSTEM OF WORKING THE PUBLIC ROADS IN LAURENS, ANDERSON, EDGEFIELD, LEXINGTON, MARLBORO, RICHLAND, ABBEVILLE AND NEWBERRY COUNTIES," APPROVED DECEMBER 22ND, 1888, SO FAR AS THE SAME RELATES TO ABBEVILLE COUNTY, BY ENABLING HANDS LIABLE TO WORK ON PUBLIC ROADS IN SAID COUNTY TO COMPOUND FOR THEIR WORK BY PAYING TWO DOLLARS EACH PER ANNUM, AND TO EXTEND THE PROVISIONS OF SAID ACT TO MARION COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the eighth Section of an Act entitled "An Act to provide a more efficient system of working the public roads in Laurens, Anderson, Edgefield, Lexington, Marlboro, Richland, Abbeville and Newberry Counties" be amended in the third line thereof by inserting at the end of said line after the word "Edgefield" the word "and," and by striking out in the fourth line thereof the words "and Abbeville," and by inserting in the fifth line thereof after the words "per annum" the words "except in the County

A. A. 1888, 20 Stat., 93, amended.

A. D. 1892.

of Abbeville, where it shall be two dollars per annum." So that said Section when amended shall read as follows:

Compounding for work.

SECTION 8. Any hand in said Counties may compound for his work by paying to the overseers, and taking his receipt in writing therefor, the sum of six dollars, except in Edgefield and Richland Counties, where it shall be five dollars per annum, and except in the County of Abbeville, where it shall be two dollars per annum, and all sums so received shall be returned by such overseer to the County Commissioners at their next meeting thereafter with a list of the persons paying the same: *Provided*, That in the County of Abbeville the lists of such persons shall be so returned, but the sums of money so received shall be expended by the overseers in repairing the sections of roads which the persons so compounding would otherwise be required to work.

Returns by Overseer.

Expenditure in Abbeville.

Act extended to Marion County.

SEC. 2. That all the provisions of said Act and of this Act be, and they are hereby, extended to and made of force in the County of Marion as in the case of the County of Abbeville.

Approved December 24th, A. D. 1892.

No. 91.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF MARLBORO, AIKEN, CHESTERFIELD, ABBEVILLE, MARION, CLARENDON, LAURENS, OCONEE AND HORRY COUNTIES TO USE ANY FUNDS OF THEIR RESPECTIVE COUNTIES FROM SPECIAL OR ORDINARY TAX LEFT IN THE TREASURY TO PAYING ANY OUTSTANDING CLAIMS AGAINST THEIR RESPECTIVE COUNTIES, AND TO EXPEND THE SURPLUS OF ANY FISCAL YEAR TO THE EXPENSES OF THE SUCCEEDING YEAR.

Use of surplus funds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marlboro, Aiken, Chesterfield, Abbeville, Marion, Clarendon, Laurens, Oconee and Horry Counties be, and they are hereby, authorized to use any funds of their respective Counties left in the hands of the Treasurer from special or ordinary tax for the payment of any outstanding claims against their respective Counties, and to expend the surplus funds of any one fiscal year to the expenses of the succeeding fiscal year.

A. D. 1892.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 15th, A. D. 1892.

No. 92. AN ACT TO AMEND SUNDRY PORTIONS OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF AIKEN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 12 of said Act to incorporate the city of Aiken be, and the same is hereby, repealed and stricken out, and in place thereof the following shall be inserted. So that said Section shall read as follows:

A. A. 1889, 20 Stat., 488, amended.

Returns for taxation.

SECTION 12, ARTICLE 1. Returns shall be made on oath to the Clerk of the City Council annually of all real estate and personal property subject to taxation under the provisions of this Act, by the persons who may be liable to pay the taxes on the same, and any property not so returned shall be assessed by the Clerk and a penalty of 50 per cent. added. The said taxes shall be payable on or before the first day of March then next ensuing.

Penalty for failure.

When payable.

Clerk to issue executions.

ARTICLE 2. That hereafter, immediately upon the expiration of the time allowed by law for the payment of taxes in any year, the Clerk of the City Council of the city of Aiken shall, and he is hereby authorized and directed to, issue in the name of the city of Aiken a warrant or execution in duplicate against each defaulting taxpayer in said city, signed by him in his official capacity, directed to the Chief of Police of the city of Aiken, requiring and commanding him to levy the same by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes of such defaulting taxpayer, specifying therein the aggregate amount of all his taxes, as well as the amount of each fund, which warrant or execution shall run substantially as follows, (filling the blanks to suit each case,) viz.:

Levy of execution.

Form.

Clerk of the City Council of the city of Aiken to Chief of Police of said city: Whereas ..... has been duly assessed the sum of ..... dollars for defraying the expenses of the said city of Aiken for the fiscal year beginning the .... day of ....,

18...., as follows, to wit: For defraying the expenses of the city, $....; for special, $....; for special, $....; which ..... has neglected to pay. These are, therefore, in the name of said city, strictly to charge and command you to levy by distress and sale of the personal property, and if sufficient personal property cannot be found, then by distress and sale of the land of said ...., the sum of ..... dollars, together with ..... dollars, the charges hereof; and for so doing this shall be your sufficient warrant. A. D. 1893.

Given under my hand and official seal, the .... day of ....., A. D. 18....

.....

Clerk of the City Council of the City of Aiken. [L. S.]

And after issuing such execution or warrant in duplicate as above stated such Clerk of the City Council of the city of Aiken shall be entitled to charge against such defaulter the sum of fifty (50) cents. Fee to Clerk.

ARTICLE 3. The Chief of Police to whom such warrant shall be directed shall take from such defaulter the following fees and no other in the execution of his office: For serving each warrant, fifty (50) cents; for advertising, fifty (50) cents. Fees to Chief of Police.

ARTICLE 4. That after due advertisement of the same by written notices placed in three conspicuous places within the city of Aiken, in a newspaper published in the city of Aiken, for twenty-one days, the Clerk of the City Council of the city of Aiken, or, in case of his death or disability, the Mayor of said city, shall sell and convey the property so seized, or so much thereof as may be necessary to pay the taxes, costs and penalties so due, for cash, at public auction, in front of the Council Chamber or the Aiken County Court House in said city of Aiken, and apply the proceeds of such sale to the payment of such taxes, costs and penalties, and turn over the surplus, if any there be, to the owner of the property so seized and sold. And in case there be no bid equal in amount to the taxes, costs and penalties named in said warrant or execution, the said Clerk of the City Council of said city shall buy the property for the City Council of Aiken as the actual purchasers thereof, and shall put said City Council of Aiken or its authorized agent in possession of the premises. The property so sold and purchased and delivered to said City Council of Aiken shall be treated by said City Council as assets of the city of Aiken in their charge, and be sold at such times and in such manner as by them shall be deemed most advantage- Advertisement. Sale and conveyance. Application of proceeds. Purchase by city. Delivery of property.

A. D. 1892.

ous to said city of Aiken. No action for the recovery of said property sold by the Clerk of the City Council of the city of Aiken shall be maintained unless brought within two years from the date of said sale.

Limitation of action.

Purchaser to be put into possession.

And the said Clerk of the City Council of the city of Aiken is hereby authorized, empowered and directed to put the purchaser or purchasers of such property so sold into possession thereof. That for making the sale and executing the deed of conveyance herein directed, the said Clerk of the City Council of said city, or in case of his death or disability the Mayor of said city, shall take from the proceeds arising from said sale the sum of one dollar and fifty cents, exclusive of the cost of advertising when done by a newspaper.

Fees to Clerk.

Procedure.

ARTICLE 5. The manner and time of seizing, levying, advertising and selling, making the conveyance, and putting the purchaser or purchasers into possession of the property sold and conveyed under this Act, unless herein otherwise provided, shall, as nearly as may be, conform in all respects to the provisions of Section 2 of an Act entitled "An Act in relation to forfeited lands, delinquent lands and collection of taxes," approved December 24th, A. D. 1887.

19 Stat., 863.

Rights of purchaser.

ARTICLE 6. The purchaser or purchasers at such sale shall have and enjoy all the rights, power, privileges, and the delinquent taxpayer be subject to all the disabilities, requirements and limitations, set forth in an Act entitled "An Act in relation to forfeited lands, delinquent lands and collection of taxes," approved December 25th, A. D. 1887.

19 Stat., 862.

Amendment of Section 13.

Be it further enacted, That Section 13 of said Act to incorporate the city of Aiken be, and the same is hereby, repealed and stricken out, and the following inserted in place and stead thereof, to be as known as Section 13:

Clerk and Treasurer.

SEC. 13. That the said City Council shall have power, and are hereby authorized, to elect a Clerk of the City Council of the said city of Aiken, who may also act as Treasurer of said city, and to fix his bond and prescribe his duties and obligations; and said City Council shall also have power, and are hereby authorized, to elect one Chief of Police and as many assistants as may be necessary, (in addition to the Sheriff of Aiken County, who shall be *ex officio* a policeman of said city,) to fix their salaries and prescribe their duties. They shall be sworn in and vested with all the power now conferred by law upon Constables, and subjected to all the duties and liabilities that are now or hereafter may

Bond and duties

Police.

Sheriff.

Their powers and duties.

A. D. 1892.

be conferred upon Constables, in addition to the special duties devolved upon them by the said City Council: *Provided*, That their jurisdiction shall not extend beyond the limits of the said corporation. Except that the Chief of Police, or his assistants, or the Sheriff of Aiken County, as *ex officio* policemen of said city, may pursue for three miles beyond the limits of said city any one charged with an offense against the ordinances of said city who is attempting to escape from said city.

Jurisdiction.

And be it further enacted, That Section 11 of the said Act be amended by inserting between the words "Assessors" and "the," between the lines 24 and 25, the following words: "And said Board of Assessors shall have full power to canvass the returns of real estate and personal property in said city of Aiken, and in their discretion to increase or lower the same in the same manner as County Boards of Assessors." So that when amended said Section shall read as follows:

Section 11 amended.

Supervision of returns.

SEC. 11. That the said city be, and they are hereby, authorized, annually, to require the payment of such reasonable sum or sums of money as a license tax by any person, or persons, or corporation, engaged, or intending to engage, in any calling, business, profession or occupation, in whole or in part, within the limits of the city of Aiken, except those engaged in the calling or profession of teachers or ministers of the gospel; and that the said City Council are hereby authorized to pass such ordinances as are necessary to carry the purpose of this Section into full effect, and to provide for the punishment of all delinquents thereunder. And the said City Council shall have power to impose an annual tax on all real estate lying within the corporate limits, and on personal property owned and held within the same, including banks and stocks of banks and insurance companies, and other corporations, the real estate of churches and school associations from which such church and school associations derive a revenue which are intended to be rented out for such purpose, and for that purpose they shall appoint three freeholders, residents of said city of Aiken, to assess the value of said real estate, upon oath, and return the assessment within one month to the said Council for taxation; and the said Council shall have power to fill any vacancy arising from any cause on said Board of Assessors. And the said Board of Assessors shall have full power to canvass the returns of real estate and personal property in said city of Aiken, and in their discretion to increase or lower the same in the same manner as County Boards of As-

License tax.

Exceptions.

Ordinances.

Annual tax.

Assessors.

Vacancies.

Revision of returns.

A. D. 1892.

sessors: *Provided, however,* Any one feeling aggrieved shall have the right of appeal to the City Council within ten days after notice of raising the same. The City Council shall have power to regulate the price of license upon all public shows and exhibitions in said city, to erect a powder magazine, and to compel every person holding more than twenty-five pounds of powder at one time to stow the same therein, and to make regulations for rates of storage thereof and for keeping and storing the same. They shall have power and authority to organize, equip and control a fire department for the protection of said city in such way as they may deem necessary.

Appeal.

License on shows.

Powder magazine.

Fire department.

Fire limits. That the said City Council of Aiken shall have power to establish, by ordinance, fire limits in and upon such squares or blocks in said city as are embraced within the limits bounded by Newberry street on the East, Park avenue on the South, and Short street and Pendleton street on the West, and Richland avenue on the North, and to prescribe and designate the kind and character of material to be used in erecting and repairing buildings or structures within and upon the blocks included in said fire limits.

Buildings.

Other fire limits. That the said City Council of Aiken shall have power from time to time to establish further and additional fire limits within the corporate limits of said city as often as the same may be deemed expedient: *Provided, however,* That in such cases of establishing additional fire limits the same shall be done by ordinance passed by a vote of the Council at a regular meeting. That the said City Council of Aiken shall have power by ordinance to prescribe suitable fines and penalties against such person or persons who may be found guilty of violating any of the ordinances of said city relative to the fire limits therein: *Provided,* That such fines or penalties shall not exceed the amount as regulated in the 7th Section of the charter of said city. That all buildings or structures erected within said fire limits contrary to the ordinances of said city of Aiken may be abated by the City Council as a public nuisance. That hereafter it shall be unlawful for the City Council of Aiken to vote a salary to the Mayor of said city until the question of allowing a salary to the Mayor shall have been first submitted to the qualified voters of said city who are real estate owners therein, and such other legal voters resident therein whose annual city tax shall amount to five dollars, and shall have been decided in favor of such salary by a two-thirds majority vote of said real estate owners; and that such question shall only be voted upon at a special election

How established.

Penalties.

Limit of fines.

Nuisance.

Salary of Mayor

called for that purpose upon at least fifteen days' notice, published in one of the papers of the city. A. D. 1892. Notice of election.

And be it further enacted, That Section 18 of the said Act be so amended by inserting the words twenty-first in the last line of said Section instead of the word twentieth, so that when amended said Section shall read as follows: Section 18 amended.

SECTION 18. The Mayor of said city shall receive no salary except upon a two-thirds vote of the real estate owners of said city and such other legal voters of said city who shall pay an annual city tax of five dollars. He and the Aldermen shall each be exempt from street duty during the terms of their office, and each City Council shall, within thirty days after the expiration of their terms of office, make out and return to their successors a full account of their receipts and expenditures during the terms for which they were elected, and they shall likewise publish, at the end of each year after the beginning of their term of office, a full statement of their receipts and expenditures during the preceding year; and at the expiration of the term of office of any City Council it shall be their duty to pay over to their successors any moneys in their hands at the time of making such return belonging to said corporation, and likewise to deliver up promptly at the end of their term all books, property, records and other papers incident to their said offices, to their successors; and on failure to do so, they shall be liable to the punishment prescribed in the twenty-first Section of this Act. Salary to Mayor. Exemption from street duty. Account to successors. Annual report. Payment to successors. Delivery of property. Penalty.

That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 19th, A. D. 1892.

AN ACT TO AUTHORIZE AND EMPOWER THE BANK OF AIKEN TO ACCEPT AND EXECUTE TRUSTS. No. 93.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the approval of this Act the Bank of Aiken, in the County of Aiken, shall have the power and the authority, in addition to the powers already possessed, to accept and to execute any trusts and trusteeships of any and every Power to accept and execute trusts.

A. D. 1892.

description which may, at any time, with the consent of said bank, be committed and transferred to said bank by any person or persons whomsoever, or by any bodies politic or corporate.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 20th, A. D. 1892.

No. 94. AN ACT TO INCORPORATE THE AIKEN LIBRARY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation.

W. W. Woolsey, Dr. T. G. Croft and H. M. Dibble, Trustees, their associates and successors, be, and they are hereby, created

Name and powers.

a body politic and corporate, under the name and style of "The Aiken Library Company," and by their corporate name may sue and be sued, plead and be impleaded, in any Court of this State or of the United States; to contract and be contracted with; to buy, sell, acquire and hold for the use of said corporation any property, real or personal, subject to the rules and by-laws here-

Property rights.

inafter provided for. They shall have power to receive any gift, grant, devise or bequest of real or personal estate, and may sell the same.

By-laws.

SEC. 2. They may adopt such rules and by-laws as may be deemed proper, not repugnant to the laws of the land; and said

Successors.

Trustees shall have power to appoint their successors in office.

Public Act.

When to take effect.

Duration.

SEC. 3. This Act shall be deemed a public Act, shall take effect from its passage, and continue in force for thirty years, and until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1892.

No. 95. A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL COMMISSIONER OF AIKEN COUNTY TO APPROVE AND THE COUNTY TREASURER OF SAID COUNTY TO PAY CERTAIN SCHOOL CLAIMS.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1892.

in General Assembly, and by the authority of the same, That the School Commissioner of Aiken County is hereby authorized and directed to approve school certificates payable to Mrs. Cornelia Howell, one for the month of November, A. D. 1890, for thirty-five dollars, and one for the month of December, A. D. 1890, for thirty-five dollars, and the Treasurer of said County to pay said claims out of any funds in his hands for School District No. 6 of Gregg Township in said County.

School Commissioner to approve claim of Mrs. Howell.

Treasurer to pay.

SEC. 2. That the County Treasurer of Aiken County is hereby directed to pay, out of any school funds in his hands for School District No. 10 of said County, school certificate No. 1 for thirty-five dollars, now held by Miss Jessie Harbers; and said Treasurer is further directed to pay out of any school funds in his hands for School District No. 10 school certificate No. 42, owned by Miss Ida Powell, and being for the sum of thirty-five dollars.

County Treasurer to pay Miss Harbers.

And Miss Powell.

SEC. 3. That the County Treasurer of Aiken County be, and he is hereby, authorized, upon the approval of the present School Commissioner, to pay D. H. Crossland, late School Commissioner, or his assigns, any balance due him upon his salary as School Commissioner of said County, accruing and remaining unpaid during his term of office.

Claim of D. H. Crossland.

SEC. 4. That the School Commissioner is hereby authorized and directed to approve school certificate payable to Miss Annie E. Sawyer for thirty dollars, dated January 2nd, 1892, and the Treasurer of said County to pay said claim out of any funds in his hands for School District No. 8 of Hopewell Township, in said County of Aiken.

Claim of Miss Sawyer.

SEC. 5. That the School Commissioner is authorized and directed to approve school certificates payable to James E. Brogdon or order, dated December 12, 1892, for thirty-five dollars, and the certificate of Hattie F. Holmes dated January 21st, 1892, for twenty dollars. The County Treasurer shall pay the same out of funds in his hands for School District No. 5 in Geddy Swamp Township and No. 9 in Chinquapin Township, respectively.

Claim of J. E. Brogden.

H. F. Holmes.

Payment directed.

Approved December 20th, A. D. 1892.

A. D. 1892.

No. 96.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT UPON THE STATE TREASURER IN FAVOR OF L. H. HANKINSON AND T. J. DAVIES FOR THE SUM OF ONE HUNDRED AND FIFTY-ONE AND $\frac{67}{100}$ DOLLARS, AMOUNT OVER PAID BY THEM UPON THE OFFICIAL BOND OF JOS. E. MURRAY, EX-TREASURER OF AIKEN COUNTY, AND TO AUTHORIZE AND DIRECT THE STATE TREASURER TO PAY THE SAME.

Preamble.

Whereas in a settlement had between the Comptroller-General on the day of August, 1890, and the sureties on the official bond of Jos. E. Murray, then Treasurer of Aiken County, a mistake was made by the Comptroller-General as to the amount due; L. H. Hankinson and T. J. Davies, the sureties on said bond, over paid the Comptroller-General the sum of one hundred and fifty-one and $\frac{67}{100}$ dollars as sureties on said bond.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, The Comptroller-General is hereby authorized and directed to draw his warrant upon the State Treasurer in favor of L. H. Hankinson and T. J. Davies for the sum of one hundred and fifty-one and $\frac{67}{100}$ dollars, the amount over paid by them to the said Comptroller-General as sureties upon the bond of Jos. E. Murray, as Treasurer of Aiken County, and the State Treasurer is hereby authorized and directed to pay same.

Warrant to be drawn.

For overpayment.

State Treasurer to pay.

Approved December 24th, A. D. 1892.

No. 97.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CREATE A SEPARATE SCHOOL DISTRICT FROM PORTIONS OF AIKEN AND ORANGEBURG COUNTIES, INCLUDING THE TOWN OF SALLY, IN AIKEN COUNTY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to create a separate school district from portions of Aiken and Orangeburg Counties, including the town of Sally, in Aiken County," be, and the same is hereby, amended so as to exclude from the said school district therein mentioned

A. A. 1891, 20 Stat., 1206, amended.

A. D. 1892.

that portion lying East of a certain road running from Oakly Springs by way of Benjamin Corbett's Mill and Sawyer old store to William Jones', on Ninety-six Road, boundaries defining the school district therein mentioned, the portion of Orangeburg County therein included, and to confine said school district exclusively to the portion of the County of Aiken therein described.

Portion excluded.

Confined to Aiken County.

SEC. 2. That wherever in said Act herein amended are mentioned the words "Orangeburg County," the same be amended by striking out said words "East of said line," as above mentioned.

Words stricken out.

SEC. 3. That all sums of money now in the hands of the County Treasurer of Aiken County to the credit of the fund of the said school district, and collected out of said portion of Orangeburg County, be turned over to the Treasurer of the County of Orangeburg, to be appropriated to the general school purposes of the said County of Orangeburg.

Balance in hand to be turned over.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 5. That this Act shall take effect immediately upon its approval.

When to take effect.

Approved December 22nd, A. D. 1892.

AN ACT TO REDUCE THE COMPENSATION OF THE COUNTY BOARD OF EQUALIZATION AND TO PROVIDE FOR COMPENSATION TO TOWNSHIP ASSESSORS IN HORRY, GREENVILLE, FLORENCE, MARION, MARLBORO, COLLETON, OCONEE, AIKEN, SPARTANBURG, ANDERSON AND WILLIAMSBURG COUNTIES. No. 98.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the members of the County Board of Equalization in Horry, Greenville, Florence, Marion, Marlboro, Colleton, Oconee, Aiken, Spartanburg, Anderson and Williamsburg Counties shall each receive as compensation two dollars per day for each day necessarily engaged in the duties of that office and five cents per mile one way for necessary travel in attending the meetings of the Board.

Compensation in certain Counties.

A. D. 1892.

Township Assessors in certain Counties.

SEC. 2. That the Township Assessors in Horry, Greenville, Florence, Marion, Marlboro, Colleton, Oconee, Aiken, Spartanburg and Williamsburg Counties shall each receive one dollar per day for one day's service as such in each year.

Repealing clause.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed so far as Horry, Greenville, Florence, Marion, Marlboro, Colleton, Oconee, Aiken, Spartanburg, Anderson and Williamsburg Counties are concerned.

Approved December 15th, A. D. 1892.

No. 99. A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL TRUSTEES OF SCHOOL DISTRICT NO. 1 OF ANDERSON COUNTY TO SIGN A SCHOOL CLAIM AND THE SCHOOL COMMISSIONER TO APPROVE THE SAME, AND TO AUTHORIZE THE COUNTY TREASURER OF ANDERSON COUNTY TO PAY CERTAIN SCHOOL CLAIMS IN SCHOOL DISTRICTS NO. 1 AND NO. 7.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

School claim of J. F. Rice to be approved.

School Trustees of School District No. 1 of Anderson County, and the School Commissioner of said County, be authorized to approve the claim of J. F. Rice for services rendered in teaching in said school district, under an agreement with said Trustees, prior to the date of his certificate as a teacher, he having taught during the Winter of 1891 and 1892, before the examination of teachers in April, 1892, at which time he received a first class

And paid.

certificate, and the County Treasurer is authorized to pay the same out of any funds in his hands for said school district, or which may come into his hands for this fiscal year in case there is not a sufficient amount in his hands of the funds of last

Other past due claims to be paid

fiscal year applicable thereto. The County Treasurer is likewise authorized to pay the claims, duly signed by the Trustees of said school district and approved by the School Commissioner, for the fiscal year 1890–91 or the fiscal year 1891–92, which have not been paid for want of funds, out of any funds in his hands for the present fiscal year.

Other pay certificates as recited.

SEC. 2. The Trustees of School District No. 7, Anderson County, having overdrawn the amount to their credit in the

hands of the County Treasurer for the fiscal year in which the services were rendered for which their pay certificates were issued, as follows: One pay certificate in favor of Miss Lelia Brown for twenty-five dollars; one pay certificate in favor of Miss Lottie Crosby for twenty-five dollars; one in favor of W. L. Mattison for seven 90-100 dollars; one in favor of W. N. Mitchell for two 24-100 dollars; one in favor of Francis L. Williams for one 80-100 dollars; one in favor of Miss Bessie Neal for fifteen dollars; and three in favor of Miss Della Brown, aggregating fifty-seven 75-100 dollars, the County Treasurer of said County is hereby authorized to pay said claims out of any funds in his hands, or to come into his hands, for said school district for the present fiscal year, when approved by School Commissioner.

A. D. 1892.

To be paid.

When approved.

Approved December 22nd, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE CONSOLIDATION OF THE ANDERSON WATER SUPPLY COMPANY AND THE ANDERSON ELECTRIC LIGHT AND POWER COMPANY, UNDER THE NAME OF THE ANDERSON WATER, LIGHT AND POWER COMPANY, AND TO CONFER UPON THE CONSOLIDATED COMPANY POWER AND AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC STREET RAILWAY WITHIN THE CITY OF ANDERSON," AND THE TITLE THEREOF.

No. 100.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the title of "An Act entitled 'An Act to authorize the consolidation of the Anderson Water Supply Company and the Anderson Electric Light and Power Company under the name of the Anderson Water, Light and Power Company,' to confer upon the consolidated company power and authority to construct, maintain and operate an Electric Street Railway within the city of Anderson," approved December 24th, 1891, be, and the same is hereby, amended by adding to the title of said Act the words, "to develop, generate, use and sell power by electricity."

A. A. 1891, 20 Stat., 1220, amended in its title.

A. D. 1892.

Changes in Sections.

SEC. 2. That Section third of said Act shall be known and designated as Section 3*d*, and that the following shall be inserted, to be known as Section 3*b*:

Additional Section.

SECTION 3*b*. That the said Anderson Water, Light and Power Company shall also have the power and authority to purchase and

Water power.

hold suitable water power within the limits of Anderson County,

To generate electricity.

and to develop the same for the purpose of generating electrical

Erect wires.

power and to utilize the same; to erect wires for the transmission of such power to the city of Anderson and to other distant points, and to furnish and sell the same to the citizens of Anderson, and to such other parties and corporations as may wish to utilize said

And poles.

power by purchase, and for this purpose to erect their poles along any of the adjacent highways from the said water power to such

Proviso.

places where the said power may be used: *Provided*, That the said poles and wires shall not interfere with the public use of said

Works.

highways; to erect such dams, canal, buildings, machine shops and other works as may be requisite or necessary to carry out the

Rights of condemnation.

business of said corporation; and shall have the right to condemn such property or rights of way to enable the said company to successfully construct, erect and operate the said dams, canals, electrical works and electric lines on payment to the owner or owners

Compensation.

thereof just compensation for such property or rights of way to be condemned, and such compensation to be determined in the manner now provided by law for the condemnation of lands and rights of way by railroad corporations.

Approved December 24th, A. D. 1892.

No. 101. AN ACT TO INCORPORATE BETHEL METHODIST EPISCOPAL CHURCH OF ANDERSON COUNTY, AND TO PROHIBIT THE SALE OR MAKING OF ANY SPIRITUOUS, MALT OR OTHER INTOXICATING LIQUORS WITHIN A RADIUS OF THREE MILES OF SAID CHURCH BUILDING.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev.

Incorporation.

J. E. Spearman, W. Z. Barnes, T. B. Mauldin, J. M. Bailey, and their associates and successors, members of the Bethel Methodist Episcopal Church of Anderson County, are hereby constituted

and declared a body politic and corporate under the name and style of the Bethel Methodist Episcopal Church of Anderson County. Said corporation shall have power to purchase and hold real estate or personal property not exceeding in value the sum of twenty-five thousand dollars, and to sell and convey or dispose of the same in any manner whatsoever; and by its corporate name to sue and to be sued in any of the Courts of the State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be deemed necessary; to make, use and keep a common seal and the same at will to alter.

A. D. 1892.

Name.

Property rights.

Other powers.

SEC. 2. That it shall be unlawful for any person or corporation to sell or manufacture any spirituous, malt or other intoxicating liquors within a radius of three miles of the church building of said corporation, upon pain of being deemed upon conviction guilty of a misdemeanor, and subject to a fine not to exceed one hundred dollars, or to imprisonment in the County jail not to exceed thirty days.

Sale, &c., of liquors prohibited.

Penalty.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE "GENEROSTEE ASSOCIATE REFORMED CHURCH," OF ANDERSON COUNTY, AND TO PROHIBIT THE SALE OR MAKING OF ANY SPIRITUOUS, MALT OR OTHER INTOXICATING LIQUORS WITHIN A RADIUS OF THREE MILES OF SAID CHURCH BUILDING. No. 102.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. C. Pressley, A. C. Cook, D. J. Sherard, T. A. Stevenson, W. W. Brown, A. M. Cheek, J. D. McDonald, J. W. Stevenson, L. M. Sherard, A. C. Townsend, and their associates and successors, members of the Generostee Associate Reformed Church, of Anderson County, are hereby constituted and declared a body politic under the name and style of the Generostee Associate Reformed Church, Anderson County. Said corporation shall have power to purchase and hold real estate or personal property not exceeding in value the sum of twenty-five thousand dollars, and to sell and convey or dispose of the same in any manner whatsoever, and by its corporate name to sue and be sued in any

Incorporation.

Name.

Property rights.

Other powers.

A. D. 1892.

of the Courts of the State, and to make such rules and by-laws not repugnant to the laws of the land as may be deemed necessary; to make, use and keep a common seal, and the same at will to alter.

Sale, &c., of liquors prohibited.

SEC. 2. That it shall be unlawful for any person or corporation to sell or manufacture any spirituous, malt or other intoxicating liquors within a radius of three miles of the church building of said corporation upon pain of being deemed, upon conviction, guilty of a misdemeanor and subject to a fine not to exceed one hundred dollars, or to imprisonment in the County jail not to exceed thirty days.

Penalty.

Approved December 24th, A. D. 1892.

No. 103. AN ACT TO INCORPORATE "GROVE ASSOCIATE REFORMED CHURCH," OF ANDERSON COUNTY, AND TO PROHIBIT THE SALE OR MAKING OF ANY SPIRITUOUS, MALT OR OTHER INTOXICATING LIQUORS WITHIN A RADIUS OF THREE MILES OF SAID CHURCH BUILDING.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation.

Rev. C. Pressley, S. Wharton, W. C. Sherard, W. A. Clinkscales, Wm. H. Watt, D. F. Sadler, John L. McLin, A. M. Cheek, W. M. Sherard, S. F. McConnell, L. S. Clinkscales, their associates

Name.

and successors, members of the "Grove Associate Reformed Church," of Anderson County, are hereby constituted and declared a body politic and corporate, under the name and style of the "Grove Associate Reformed Church," of Anderson County.

Property rights.

Said corporation shall have power to purchase and hold real estate or personal property not exceeding in value the sum of twenty-five thousand dollars, and to sell and convey or dispose of the same in any manner whatsoever, and by its corporate name

Other powers.

to sue and be sued in any of the Courts of the State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be deemed necessary; to make, use and keep a common seal and the same at will to alter.

Sale, &c., of liquors prohibited.

SEC. 2. That it shall be unlawful for any person or corporation to sell or manufacture any spirituous, malt or other intoxicating

liquors within a radius of three miles of the church building of said corporation, upon pain of being deemed upon conviction guilty of a misdemeanor and subject to a fine not to exceed one hundred dollars or to imprisonment in the County jail not to exceed thirty days. A. D. 1892. Penalty.

Approved December 20th, A. D. 1892.

AN ACT TO INCORPORATE "POPLAR SPRINGS BAPTIST CHURCH," OF ANDERSON COUNTY, AND TO PROHIBIT THE SALE OR MAKING OF ANY SPIRITUOUS, MALT OR OTHER INTOXICATING LIQUORS WITHIN A RADIUS OF THREE MILES OF SAID CHURCH BUILDING. No. 104.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. E. Harris, W. V. Galloway, D. F. West, L. M. Harris and P. W. Watt, their associates and successors, members of the "Poplar Springs Baptist Church," of Anderson County, are hereby constituted and declared a body politic and corporate under the name and style of the "Poplar Springs Baptist Church," of Anderson County. Said corporation shall have power to purchase and hold real estate or personal property not exceeding in value the sum of twenty-five thousand dollars, and to sell and convey or dispose of the same in any manner whatsoever; and by its corporate name to sue and be sued in any of the Courts of the State, and to make such rules and by-laws, not repugnant to the laws of the land, as may be deemed necessary; to make, use und keep a common seal, and the same at will to alter. Incorporation. Name. Property rights. Other powers.

SEC. 2. That it shall be unlawful for any person or corporation to sell or manufacture any spirituous, malt or other intoxicating liquors within a radius of three miles of the church building of said corporation, upon pain of being deemed, upon conviction, guilty of a misdemeanor, and subject to a fine not to exceed one hundred dollars, or to imprisonment in the County jail not to exceed thirty days. Sale, &c., of liquors prohibited.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 105.

AN ACT TO INCREASE THE SALARY OF THE TRIAL JUSTICE AT BLACKVILLE, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Annual salary. the Trial Justice at and for Blackville, in the County of Barnwell, shall receive as compensation for his services in criminal cases, in lieu of all costs and fees, an annual salary of two hundred and fifty dollars instead of one hundred and fifty dollars,

20 Stat., 462. as provided heretofore by Act No. 290, page 462, volume 20 of the Statutes at Large.

Repealing clause. SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

When to take effect. SEC. 3. That this Act shall take effect immediately upon its approval by the Governor.

Approved December 22nd, A. D. 1892.

No. 106. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CLARENDON AND BARNWELL COUNTIES TO BORROW MONEY AND TO FURTHER REGULATE THEIR DUTIES AS TO REPORTS, AND TO REQUIRE THE SOLICITOR TO EXAMINE AND REPORT ON THEIR BOOKS TO EACH TERM OF THE CIRCUIT COURT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on

Loan authorized. and after the passage of this Act the County Commissioners of Clarendon and Barnwell Counties are hereby authorized and required to borrow money, as needed, at the lowest rate of interest or discount they can secure, for the cash payment of all ordinary

Purposes. and special County expenses as such expenses may become due,

Pledge of taxes. and they are hereby authorized to pledge all the County taxes for the payment of the money borrowed and the interest thereon: *Provided*, That the said County Commissioners of Clarendon and Barnwell Counties shall not at any time borrow an amount

Limit. exceeding the appropriation as made or fixed for any given year: *And provided, further*, That where such appropriations are made for any fixed or specific purpose or purposes, the amount so

borrowed for any and each fixed and specific purpose shall in no event exceed the amount appropriated for such fixed and specific purpose.

Accounts, how kept.

SEC. 2. It shall be the duty of the County Commissioners of Clarendon and Barnwell Counties to keep all their accounts posted in full to date, itemized in such manner as to readily show what accounts have been approved and what rejected, and what amounts, similarly itemized, have been paid. Such itemized accounts shall each year conform with the items in the appropriation Act for that year.

Penalty for violation.

SEC. 3. Any violation of this Act, or any part thereof, shall be deemed a misdemeanor, and shall be punishable by a fine of not less than two hundred dollars or imprisonment in the County jail not less than thirty days, to be imposed by any Court of competent jurisdiction.

Solicitors to examine.

SEC. 4. It shall be the duty of the Circuit Solicitor to examine closely and carefully the books and accounts of the County Commissioners of Clarendon and Barnwell Counties prior to each sitting of the Circuit Court therein, and to make a report on the same to the presiding Judge the first day of each term of said Court.

And report.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF APPLETON, IN BARNWELL COUNTY.

No. 107.

Incorporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the State who now are or hereafter may be inhabitants of the town of Appleton, in Barnwell County, shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Appleton, and the corporate limits of said town shall extend one-half mile in all directions from the railroad depot on the Port Royal and Augusta Railroad.

Name and limits.

Rights and limitations.

SEC. 2. Said town of Appleton shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An

A. D. 1892. 19 Stat., 174.

Act to provide and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Public Act. Duration.

SEC. 3. That this Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

Sale of liquors prohibited.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Appleton, in the County of Barnwell.

When to take effect.

SEC. 5. This Act shall take effect immediately on its approval.

Approved December 24th, A. D. 1892.

No. 108. AN ACT TO AMEND SECTION SEVEN (7) OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BARNWELL," APPROVED MARCH 1ST, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1878, § 7, 16 Stat., 387, amended.

Section seven (7) of an Act entitled "An Act to incorporate the town of Barnwell," approved March 1st, 1887, be it, and the same is hereby, amended so as to read as follows:

Business licenses.

SECTION 7. That the Intendant and Wardens of said town shall have full and only power to grant or refuse licenses to practice any profession or to carry on any trade, art or business within said town limits, and to fix the prices thereof: *Provided*, That

Limit.

the prices do not exceed five dollars; and also to keep taverns or

Liquor licenses.

retail spirituous liquors within the corporate limits of said town upon such circumstances as to them shall seem right and proper:

License fee.

Provided, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be fixed at a less sum than is established by the laws of this State; and all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within said limits

Appropriation of fees.

without licenses shall be appropriated to the public uses of said town: *Provided*, That the Intendant and Wardens, duly elected

Term of license.

and qualified, shall not have power to grant any licenses to keep

taverns or retail spirituous liquors to extend beyond the term of which they have been elected: *Provided, further,* That the said Town Council is hereby authorized and empowered to appropriate the surplus revenues of said town, from any source whatever, beyond an amount necessary to meet the requirements of said town and the public regulations thereof, to supplement the special school district tax, for the purpose of carrying on the public schools in said town.

A. D. 1892.

Appropriation of surplus revenues.

To public schools.

Approved December 24th, A. D. 1892.

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF THE TOWN OF WILLISTON TO APPROPRIATE FUNDS TO THE WILLISTON GRADED SCHOOL. No. 109.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Williston be, and they are hereby, authorized to appropriate from the funds of said town such sum as they may deem expedient to the support and maintenance of the Williston Graded School.

Appropriation authorized.

SEC. 2. That this Act shall take effect from and immediately after its approval.

When to take effect.

Approved December 24th, A. D. 1892.

AN ACT FOR THE FURTHER PROTECTION OF PARTRIDGES, QUAIL, WOODCOCK AND PHEASANTS, DEER OR WILD TURKEY IN BEAUFORT COUNTY. No. 110.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall not be lawful after the passage of this Act to sell or expose for sale any partridge, quail, woodcock or pheasant, deer or wild turkey, within the County of Beaufort, for the space of five (5)

Sale prohibited for five years

A. D. 1892.

years. Any person so doing shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than ten ($10) dollars or be imprisoned for not more than ten (10) days for each offense.

Penalty.

Export prohibited for five years.

SEC. 2. It shall not be lawful to export out of the limits of Beaufort County any partridge, quail, woodcock or pheasant, deer or wild turkey for the space of five (5) years. Any person so doing shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than ten ($10) dollars or be imprisoned for not more than ten (10) days for each offense.

Penalty.

License required from non-residents.

SEC. 3. All persons not citizens of the State and visiting Beaufort County in this State for the purpose of shooting game of any kind shall pay a license of $25 to the County Treasurer of said County, and the money to be devoted to the public schools. Any person not obtaining said license before hunting or shooting shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than fifty dollars or be imprisoned not more than thirty days for each offense: *Provided,*

Penalty.

Proviso as to land owners.

That this Act shall not apply to any person hunting or killing game on his own land.

Approved December 22nd, A. D. 1892.

No. 111. AN ACT TO AUTHORIZE W. C. VINCENT TO MAINTAIN A WHARF AT OCTAGON PLANTATION, ON SOUTH MAY RIVER, IN BEAUFORT COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whereas W. C. Vincent has erected a wharf in front of his property at the Octagon plantation, on South May River, in Beaufort County, the said W. C. Vincent is hereby authorized to maintain said wharf to deep water, and to charge and collect wharfage, layage and storage.

Wharf authorized.

Tolls.

SEC. 2. That the franchise hereby granted shall vest in W. C. Vincent, his successors and assigns, for thirty-one years.

In whom vested

Approved December 20th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT NON-RESIDENTS FROM HUNTING, DUCKING, FISHING AND GATHERING OYSTERS AND TERRAPINS WITHIN THE LIMITS OF THE COUNTIES OF GEORGETOWN, CHARLESTON, BEAUFORT, COLLETON AND BERKELEY, EXCEPT UPON CERTAIN CONDITIONS," SO AS TO EMBRACE OTHER SHELL FISH THAN OYSTERS, AND SO AS TO INCLUDE THE COUNTY OF HORRY IN THE PROVISIONS OF SAID ACT AND ITS AMENDMENTS.

A. D. 1892.
No. 112.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to prohibit non-residents from hunting, ducking, fishing and gathering oysters and terrapins within the limits of the Counties of Georgetown, Charleston, Beaufort, Colleton and Berkeley, except upon certain conditions," approved December 23rd, A. D. 1884, and all Acts and parts of Acts amendatory thereof, be, and the same are hereby, amended as follows:

A. A. 1884, 18 Stat., 734, amended.

(1.) In the title, between the words "oysters" and the words "and terrapins," insert the words "other shell fish," and between the words "Counties of" and the word "Georgetown" insert the word "Horry," so that the title as amended shall read as follows: An Act to prohibit non-residents from hunting, ducking, fishing and gathering oysters, other shell fish and terrapins within the limits of the Counties of Horry, Georgetown, Charleston, Beaufort, Colleton and Berkeley, except upon certain conditions.

Title amended.

(2.) That Section 1 of said Act be amended so as to read after the enacting words as follows:

Section 1 amended.

SECTION 1. That from and after the passage of this Act, it shall not be lawful for any non-resident of this State to engage in the business of hunting, ducking, fishing or gathering oysters, other shell fish, and terrapins, for gain or for market, within the limits of Horry, Georgetown, Charleston, Beaufort, Colleton and Berkeley Counties, or to engage in the exportation or sale of the fruits of such hunting, ducking, fishing, or gathering oysters, other shell fish and terrapins, without first obtaining from the County Commissioners of the County in which said business is carried on a license therefor, which license shall be granted by said County Commissioners upon paying to the Treasurer of said County, to be used for County purposes, the sum of twenty-five dollars for each hand employed.

Hunting, &c., prohibited.

In certain Counties.

Without license.

License fee.

A. D. 1892.

(3.) That Section 3 of said Act be amended so as to read as follows:

Section 3 amended.

Non-residents defined.

SECTION 3. That all persons shall be taken and deemed as non-residents within the meaning of this Act who shall not have had their actual domicile in this State for one year next preceding their doing any of the things prohibited in this Act. But nothing herein contained shall be construed as prohibiting any landholder from authorizing any person to hunt or shoot ducks or other game, or to fish or gather oysters, other shell fish and terrapins, within the boundaries of his own land.

Proviso as to land owners.

Approved December 24th, A. D. 1892.

No. 113. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO PROHIBIT THE CATCHING OF TERRAPINS BETWEEN THE FIRST DAY OF APRIL AND THE THIRTIETH DAY OF JUNE IN ANY YEAR WITHIN CERTAIN COUNTIES,' APPROVED DECEMBER 26, A. D. 1885," APPROVED DECEMBER 20TH, A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to amend an Act entitled 'An Act to prohibit the catching of terrapins between the first day of April and the thirtieth day of June in any year within certain Counties,' approved December 26, A. D. 1885," approved December 20th, A. D. 1890, be, and the same is hereby, amended by striking out the words "fifteenth day of July" on the third line of said Section, and inserting in lieu thereof the words "first day of August." So that said Section as amended shall read:

A. A. 1890, 20 Stat., 701, amended.

Open season.

SECTION 2. That Section 1 of said Act be amended so as to read, after the enacting clause, as follows: That it shall be unlawful for any person to catch, trap, or have in his possession terrapins between the first day of April and the first day of August in any year within the limits of Georgetown, Charleston, Beaufort, Colleton and Berkeley Counties.

Section 4 amended.

SEC. 2. That Section 4 of an Act entitled "An Act to amend an Act entitled 'An Act to prohibit the catching of terrapins between the first day of April and the thirtieth day of June in any year within certain Counties,' approved December 26th, A. D.

1885," be amended by striking out all after the word *"Provided"* on the fourth line thereof. So that said Section, as amended, shall read as follows: That any violations of the provisions of this Act shall be taken and deemed a misdemeanor, punishable by fine of not less than fifty dollars, or imprisonment of not less than six months, or both, in the discretion of the Court. A. D. 1892. Penalties.

SEC. 3. That each and every person engaged in the purchasing, penning and selling of terrapins shall apply to the County Commissioners of either of the Counties mentioned in this Act for a license for the same, and the said County Commissioners upon the payment of ten dollars by the said person or persons shall issue to such person or persons a license to deal, barter or traffic in the terrapin business in the waters of the State for one year. Said license to be put in a conspicuous place on or about the pen where the terrapins are kept. License to deal required. License fee. To be posted.

SEC. 4. That the waters of the coast of the State shall be divided into two parts. The *first division* to be from, in and around the marshes, creeks and rivers of Winyah Bay in which the terrapin swim and frequent down to Charleston harbor, Cooper and Wando Rivers, creeks and marshes. The *second division* to be from Ashley River to the Georgia line, including all the salt water creeks and marshes. That the Governor shall appoint a watch or guard over each of said divisions with a salary of $125 in each year hereafter for the months of April, May, June, July, August and September, whose duty it shall be to ply up and down said district, visit and inspect terrapin pens, whenever he may suspect or be informed that terrapins are unlawfully kept, and report to the nearest Trial Justice any violations of the terrapin law. Division of waters of coast. First division. Second division. Governor to appoint watch. Salary. Duties of watch.

SEC. 5. That the guards or watch to be appointed under this Act shall be paid by the County Commissioners of Charleston County by warrant upon the County Treasurer of said County, and all license fees and penalties for the violation of this Act in any of the Counties mentioned in this Act shall be turned over by the County Treasurers of the respective Counties to the County Treasurer of Charleston County, and shall be used by the County Commissioners of Charleston County in payment of the guard or watch herein provided for. How paid. Appropriation of license fees.

SEC. 6. That said guards or watch shall be paid for in the manner and from the source above specified on the first day of September of each year. When paid.

A. D. 1892.

Repealing clause.

SEC. 7. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 22nd, A. D. 1892.

No. 114. AN ACT TO EXEMPT A CERTAIN TERRITORY IN BERKELEY COUNTY FROM THE OPERATION OF THE GENERAL STOCK LAW FOR THREE MONTHS EVERY WINTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all

Exemption declared.

that section of Berkeley County included within the following decribed limits and boundaries be, and the same is hereby, exempted from the operation of Chapter XXVII, Title X, Part I, of the General Statutes, entitled "General Stock Law and

For three months.

Fencing Stock," for a period of three months, commencing December 15th and ending March 15th each and every year, to

Boundaries of exempted territory.

wit: Beginning where the Northeastern Railroad crosses the Santee River; thence up the Southern bank of said river to the present County line between Berkeley and Orangeburg Counties; thence along said line to the Colleton and Berkeley line; thence along said line to the present line of exempted territory; thence along said line to Bunker Hill Plantation; thence from Bunker Hill Plantation in a direct line to Broughton Hall House; thence along the public road leading from Pinopolis to Macbeth Station on the Northeastern Railroad; thence along the Northeastern Railroad to the Santee River, the commencing point.

When to take effect.

SEC. 2. That this Act shall not go into effect until the 15th day of December, A. D. 1893.

Approved December 24th, A. D. 1892.

No. 115. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE TOWN OF SUMMERVILLE," APPROVED THE TWENTY-SECOND DAY OF DECEMBER, A. D. 1885.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section nine (9) of an Act of the General Assembly entitled "An Act to amend the charter of the town of Summerville," approved the twenty-second day of December, A. D. 1885, be amended by inserting on the ninth line of said ninth Section, between the words "jail" and "*Provided*," the words "either singly or in the alternative." So that said Section when amended shall read as follows:

A. D. 1892.

A. A. 1885, 19 Stat., 81, amended.

SECTION 9. That the Intendant of the town shall have the power of a Trial Justice as to criminal matters within the corporate limits of said town, and shall have full power and authority to hear and determine the charges made against every and all person or persons arrested and brought before him for violation of any of the ordinances of the town, or any breach of the peace, and shall be empowered to punish said person or persons, if found guilty of said charges, by fine or imprisonment in the town lock-up or County jail, either singly or in the alternative: *Provided*, That said fine shall not exceed the sum of fifty (50) dollars, or said imprisonment the term of thirty (30) days. That the Intendant shall appoint one of the Wardens to act as Intendant during any inability on his part to discharge the duties of this office on account of his absence from the town or otherwise, who while so acting shall be vested with the power and authority herein granted to the Intendant. That any person so fined or imprisoned may appeal to the Court of General Sessions by entering into recognizance with sufficient surety for his appearance at Court.

Powers of Intendant.

Powers of punishment.

Limit of punishment.

Intendant *pro tempore*.

Right of appeal.

SEC. 2. That Section ten (10) of the aforesaid Act be amended by inserting on the twenty-second line of said Section, between the words "jail" and "*Provided*," the words "either singly or in the alternative." So that said Section when amended shall read as follows:

Section 10 amended.

SECTION 10. The members of the Council shall meet in Council on the first Wednesday in every month, and whenever at other times they may be summoned by the Intendant so to meet. They shall have and keep a common seal, which shall be affixed to all ordinances passed by them; and they may sue and be sued, plead and be impleaded, in any of the Courts of the State. They may purchase, possess, hold, and enjoy, to them and their successors in perpetuity, or for a term of years, any estate, either real or personal or mixed, and to sell, alien and convey the same at will. The said Town Council shall have full power and authority to

Council meetings.

Their powers.

Property rights.

A. D. 1892.

Ordinances.

Liquor and other licenses.

make, ordain and establish all rules, by-laws, regulations or ordinances respecting the roads, streets, markets, police, granting of licenses for selling spirituous liquors, for carrying on any craft, trade, calling, business or profession within the corporate limits of the town, and in general every other ordinance that shall appear to them requisite and necessary for the security, welfare and convenience of the town, or for preserving the peace, order and good government thereof. That the said Council shall be authorized and empowered to provide against the violation of any and all of the ordinances of said town by imposing punishment for the same by fine or imprisonment in the town lock-up or the County jail, either singly or in the alternative: *Provided*,

Punishments.

Limit.

No fine shall exceed the sum of fifty (50) dollars or term of imprisonment be longer than thirty (30) days: *Provided, further*, That in all cases where the said Intendant shall sentence prisoners to confinement in the County jail, the said town shall bear the expense of dieting such prisoners. That it shall be the duty of the Town Council to keep all roads, ways and streets within the corporate limits of the town open and in good repair, and shall provide for the punishment of all and every person or persons who may in any way whatsoever willfully obstruct the streets or public ways, or render in any way the traveling thereon dangerous or difficult.

Expense of dieting.

Roads and streets.

Section 11 amended.

SEC. 3. That Section eleven (11) of the aforesaid Act shall be amended, so that said Section eleven shall hereafter, as amended, read as follows:

Taxation.

SECTION 11. That the said Town Council shall be, and is hereby, authorized and empowered to pass all ordinances for the imposition of taxes upon real and personal property within the corporate limits of the town, not exceeding one per cent. That all taxes assessed and levied upon property, real or personal, by said Town Council, with the penalties incurred, shall become a debt, payable by the owners of said property to said town, the payment of which shall be enforced by said Town Council, by an action in any of the Courts of this State, against the owners of said property, as any ordinary debt due by one citizen to another may be by law now collected by action in this State. That all taxes assessed and levied by said Town Council on real estate in said town shall constitute a prior lien on said real estate, except for taxes due the State, and County in which said property is situate, for a period of two years from the date of the levy of said taxes.

How enforced.

Lien for taxes.

Approved December 15th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF "NEW ENGLAND CITY," IN THE COUNTY OF BERKELEY. A. D. 1892. No. 116.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and of this State who now are or hereafter may be inhabitants of the town of "New England City" shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of "New England City," and the limits thereof shall extend and be as follows: Bounded East on the division line between "Vancedown" and "Ward's" plantation and measuring on that line three thousand feet, on the South line two thousand five hundred feet, on the West line three thousand feet, and on the North line two thousand five hundred feet; measuring from John Emerson's house on said Ward's plantation two hundred feet East, twenty-three hundred feet West, three hundred and fifty feet North and twenty-six hundred and fifty feet South, in said Berkeley County, about eleven miles from "Monck's Corner." Incorporation. Name and limits.

SEC. 2. The said town of "New England City" shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for the regulation and incorporation of towns of less than one thousand (1,000) inhabitants in this State," approved December 23rd, 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. This Act shall be deemed a public Act, and shall continue in force until the same is amended or repealed. Public Act. Duration.

SEC. 4. This Act shall take effect immediately upon its approval. When to take effect.

Approved December 15th, A. D. 1892.

A JOINT RESOLUTION REQUIRING THE SINKING FUND COMMISSION OF THIS STATE TO PAY BACK TO W. C. WARD THE SUM OF $584.68, RECEIVED FROM HIM IN PAYMENT OF LAND KNOWN AS THE BLAKE LAND, WHICH LAND HAS BEEN RECOVERED FROM HIM BY THE HEIRS AT LAW OF BLAKE. No. 117.

Whereas on the — day of ———— W. C. Ward, a citizen of the County of Berkeley, did purchase from the Sinking Fund Preamble.

A. D. 1892.

Commission of this State 1,000 acres of land and paid to the said Sinking Fund Commission therefor the sum of $584.68. That subsequently, in an action by Barnet against Russell and others in the Court of Common Pleas for Berkeley County, the said land was recovered against W. C. Ward.

Repayment directed.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sinking Fund Commission of the State of South Carolina be, and they are hereby, authorized and required to refund and pay back to W. C. Ward the sum of five hundred and eighty-four dollars and sixty-eight cents, ($584.68,) the amount received from him as purchase money for the said land, known as the Blake land.

Approved December 24th, A. D. 1892.

No. 118. AN ACT TO AMEND THE CHARTER OF THE CHARLESTON, SOUTH CAROLINA, MINING AND MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

Charter amended.

in General Assembly, and by the authority of the same, That the charter taken out by the Charleston, South Carolina, Mining and Manufacturing Company under the provisions of an Act

13 Stat., 423.

entitled "An Act to authorize and regulate the creation of private corporations within this State," approved December 20th, 1866, and the amendments thereof, be, and is hereby, amended as follows:

Location.

SEC. 2. The said company is hereby authorized to locate its principal office or place of business at Charleston in this State, or at any point in Berkeley County in this State it may select, but its present principal office and place of business shall not be

Change of location.

changed but by the vote of the stockholders at a meeting of stockholders at which such business may in accordance with its by-laws be properly considered, the stockholders representing at least a majority of the entire stock concurring in such change.

Place of meetings.

SEC. 3. The said company is hereby authorized to hold meetings of the stockholders and Directors at any place within or without the limits of this State that may be selected by the stock-

holders at a meeting at which such business may in accordance with its by-laws be properly transacted, the vote of stockholders representing at least a majority of the entire stock concurring in favor of such selection. A. D. 1892.

Decrease of capital stock.

SEC. 4. The said company is hereby authorized from time to time to diminish the amount of its capital stock, provided the consent of the persons holding the larger amount in value of the stock of such corporation shall be obtained in favor thereof, at a meeting of the stockholders of said corporation convened for the purpose of voting upon the proposition. No meeting for this purpose shall be held until after thirty days' notice thereof has been given by publication in a newspaper of general circulation published in the County where the corporation has its principal office, a copy of which notice shall be mailed to each stockholder; and such notice shall explicitly state what decrease it is proposed to make in the capital stock of the corporation. When said capital stock is decreased, as hereinbefore provided, a certified copy of the resolution decreasing such capital stock shall be filed in the office of the Secretary of State.

Notice of meeting.

Certificate to Secretary of State.

Purchase of shares.

SEC. 5. The said company may, for the purpose of reducing its capital stock, as provided in the preceding Section, purchase the share or shares of any stockholder willing to sell the same, at a price to be fixed at a stockholders' meeting, each stockholder having first, however, the option within sixty days after such meeting to sell to the company at the price so fixed such proportion of the entire stock to be purchased for reduction as his own shares bear to the capital stock of the company. In no case shall the stock be purchased by the company at less than par, and all shares purchased shall be forthwith canceled.

Right of stockholders.

Limit of price.

Bridge authorized.

SEC. 6. For the purpose of enabling it to connect its property on the East and West sides of the river, the said corporation is hereby authorized to construct a bridge over and across the Ashley River at a point near its works: *Provided*, It shall so construct and manage a draw in said bridge as will secure safe and unobstructed navigation of said river, and shall in all other respects comply with the provisions of an Act entitled "An Act to prohibit the obstruction of navigation by bridges over and across the rivers of this State," approved 19th December, 1887.

Draws.

19 Stat., 796.

Rights and powers.

19 Stat., 544.

SEC. 7. The said company shall have all the rights and powers conferred by the 15th Section of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23rd December, 1886, upon corporations

A. D. 1892.

organized under the provisions of said Act, or under other Acts governing corporations.

Increase of capital stock.

SEC. 8. The said corporation shall have the right to increase its capital stock to five millions of dollars. Such increase shall be made in the manner provided in Section 30 of the Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23rd December, A. D. 1886.

19 Stat., 548.

Right to mine.

SEC. 9. The said company shall have the right to dig and mine for earths, marls, rocks and minerals on its own lands and elsewhere under any rights or licenses which it may now have or may hereafter acquire.

Extension of charter.

SEC. 10. That the charter of this company be, and the same is hereby, extended for the term of fifty years from the expiration of its present charter.

Approved December 15th, A. D. 1892.

No. 119. AN ACT TO DESIGNATE THE HOLIDAYS IN THE COUNTY OF CHARLESTON TO BE OBSERVED IN THE ACCEPTANCE AND PAYMENT OF BILLS OF EXCHANGE, BANK CHECKS AND PROMISSORY NOTES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Holidays.

following days and half days, namely: National Thanksgiving days, all General Election days, the first day of January, the twenty-second day of February, the fourth day of July, the twenty-fifth day of December, the first Monday in September,

Half holiday on Saturday for certain purposes.

every Saturday from 12 noon until 12 midnight, which is hereby appointed a half holiday, shall for all purposes whatsoever as regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes made after the passage of this Act, be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays, and all such bills, checks and notes, otherwise presentable for acceptance or payment on the secular or business day next succeeding such holiday; but in the case of a half holiday shall be presentable for acceptance or payment at or before twelve o'clock noon of

that day: *Provided, however,* That for the purpose of protesting or otherwise holding liable any party to any bill of exchange, check or promissory note, and which shall not have been paid before twelve o'clock at noon any Saturday, a demand of acceptance or payment thereof may be made and notice of protest or dishonor thereof may be given on the next succeeding secular or business day: *And provided, further,* That when any person shall receive for collection any check, bill of exchange, promissory note, due and presentable for acceptance or payment on any Saturday, such person shall not be deemed guilty of any neglect or omission of duty, nor incur any liability, in not presenting for payment or acceptance, or collecting, such check, bill of exchange or promissory note on that day: *And provided, further,* That in construing this Section, every Saturday, unless a whole holiday as aforesaid, shall, until twelve o'clock noon, be deemed a secular or business day.

Demand for acceptance or payment.

Failure to present or demand on Saturday.

Saturday forenoon.

SEC. 2. Whenever the first day of January, the (22nd) twenty-second day of February, the fourth day of July, or the twenty-fifth day of December shall fall upon Sunday, the Monday next following shall be deemed a public holiday for all or any of the purposes aforesaid: *Provided, however,* That in such case all bills of exchange, checks and promissory notes made after passage of this Act which would otherwise be presentable for acceptance or payment on the said Monday shall be deemed to be presentable for acceptance or payment on the secular or business day next succeeding such holiday.

Certain Mondays declared to be holidays.

Proviso.

SEC. 3. All bills of exchange, checks or promissory notes, made after the passage of this Act, which by the terms thereof shall be payable on the first day of the week, commonly called Sunday, shall be deemed to be payable on the next succeeding secular or business day.

Notes made payable on Sunday.

When payable.

SEC. 4. The provisions of this Act shall apply to Charleston County only.

To apply to Charleston only.

SEC. 5. This Act shall take effect on the tenth day after its passage, as certified by the Secretary of State.

When to take effect.

SEC. 6. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, declared repealed.

Repealing clause.

Approved December 14th, A. D. 1892.

A. D. 1892. No. 120.

AN ACT TO AUTHORIZE AND REQUIRE THE TRIAL JUSTICES OF CHARLESTON COUNTY EACH TO EMPLOY AN EXTRA CONSTABLE IF THEY DEEM IT NECESSARY, TO COLLECT DELINQUENT POLL TAXES, AND TO PROVIDE FOR THEIR COMPENSATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That each of the Trial Justices of the County of Charleston be, and are hereby, authorized, if any of them deem it necessary, to employ an extra Constable for the collection of delinquent poll taxes.

Extra Constables.

Compensation.

SEC. 2. That each Constable so appointed shall be allowed as compensation for his services the sum of twenty-five cents for each poll collected, which sum shall be charged against the delinquent in the same manner as Treasurer's costs and penalties are now charged.

Charged against delinquent.

Approved December 20th, A. D. 1892.

No. 121. AN ACT TO AUTHORIZE THE SCHOOL COMMISSIONER OF CHARLESTON COUNTY TO APPLY ANY BALANCES IN THE HANDS OF THE TREASURER TO THE CREDIT OF THE COUNTY SCHOOL DISTRICTS AT THE EXPIRATION OF THE REGULAR SCHOLASTIC YEAR TO THE PAYMENT OF CLAIMS AGAINST THE PUBLIC SCHOOLS OF THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Charleston is hereby authorized and empowered to apply any balances left to the credit of the County school districts of said County in the hands of the Treasurer at the expiration of the regular scholastic year to the payment of any claims against the public schools of the city of Charleston: *Provided*, In no case shall the scholastic year in the County school districts be curtailed to less than eight months.

Application of school balances.

School year.

Approved December 20th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO REPEAL AN ORDINANCE TO PREVENT THE ERECTION OF WOODEN BUILDINGS AND TO PROVIDE GREATER SECURITY AGAINST FIRES, AND ALSO CERTAIN PORTIONS OF THE ACTS OF THE GENERAL ASSEMBLY REFERRING TO THE ERECTION OF WOODEN BUILDINGS IN THE CITY OF CHARLESTON.'" A. D. 1892. No. 122.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act entitled 'An Act to repeal an ordinance to prevent the erection of wooden buildings and to provide greater security against fires, and also certain portions of the Acts of the General Assembly referring to the erection of wooden buildings in the city of Charleston,'" approved December 23rd, 1886, be, and the same is hereby, amended by inserting the words "And on the East side of Meeting street and North side of George street, at the Northeast corner of George and Meeting streets, for a distance of one hundred and twelve (112) feet on Meeting street and seventy-five (75) feet in depth on George street and the same depth on the North line of said lot," after the words "All lots abutting on the East and West sides of King street and Meeting street between Broad and Queen streets," in the last *proviso* in said Act. A. A. 1886, 19 Stat., 538, amended. Additional corner.

SEC. 2. That this Act shall take effect immediately upon its approval by the Governor. When to take effect.

Approved December 19th, A. D. 1892.

AN ACT TO AMEND AND EXTEND THE CHARTER OF THE CAROLINA MUTUAL INSURANCE COMPANY, OF CHARLESTON. No. 123.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the persons, firms, copartnerships and corporations now members, and who may hereafter become members, of the Carolina Mutual Insurance Company, of Charleston, the charter of which was renewed and extended by an Act entitled "An Act to renew the Corporation continued.

A. D. 1892.
12 Stat., 154.
20 Stat., 135.

charter of the Carolina Mutual Insurance Company, of Charleston, S. C.," as amended by an Act approved 24th of December, A. D. 1888, and their successors, are, shall be, and shall continue to be, a body politic and corporate under the name and style of

Name.

The Carolina Mutual Insurance Company, of Charleston, and that the charter of the said corporation be, and the same is

Amendments.

hereby, amended so as to be as hereinafter provided.

Members.

SEC. 2. That every person, firm, copartnership or corporation insured, or who shall be insured, in this company shall be deemed a member thereof, and shall continue a member thereof, during the continuance of such insurance.

Right to wind up.

SEC. 3. That if at any time hereafter the number of the members of the said corporation shall be reduced to less than one hundred the said corporation shall have the right to wind up its business.

Succession and powers.

SEC. 4. That the said corporation, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation; and shall be capable of taking, holding and disposing of its capital stock according to such rules, regulations and institutions as it may from time to time establish; and also of taking, holding and disposing of, or investing, as the said corporation shall from time to time judge fit, the increase, profits or emoluments of its said capital stock to its own use; and shall have full power and authority to make, have and use a common seal, and with such device and inscription as it shall deem proper, and the same to break, alter and renew at pleasure; and by the name, title and style aforesaid shall be able and capable at law or in equity to sue and be sued, implead and be impleaded, answer and be answered unto, in all manner of suits, pleas and demands whatsoever; and it is hereby authorized and empowered to have a Board of Directors to consist of a President, a Secretary, a Treasurer, and such number of Directors, at such periods and with such duties, as shall be prescribed by the said corporation, or by the rules, by-laws or ordinances of the said corporation; and also to make rules, by-laws, ordinances, and to do everything needful, for the good government and support of the affairs of the said corporation, and for restoring its capital when diminished by losses: *Provided, always*, That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State.

Directors and officers.

Duties.

By-laws.

Proviso.

Property rights.

SEC. 5. That the said corporation shall have the right and power to purchase, acquire, take and hold, in the said corporate

A. D. 1892.

name, lands, real estate and personal property, including securities, bonds and stocks, and the same to demise, grant, sell, lease, assign, mortgage and convey in fee simple or otherwise.

Contracts of insurance and indemnity.

SEC. 6. That the said corporation shall by its said name, and by the signature of its President for the time being, or by the signature or signatures of such other person or persons, and with such ceremonies of authenticity as shall from time to time be ordained by the said corporation or by its rules and by-laws, have the right to make contracts and underwrite policies of insurance and indemnity upon marine risks, whether of vessels or goods and merchandise, in whole or in part foreign or domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals or waters of this State lying or being laden; and also in like manner to make contracts and underwrite policies of insurance and indemnity against fire on all buildings, goods, wares, merchandise and other property liable to destruction or accident by or from fire or the effects thereof, situate, lying, being or deposited in this State or elsewhere; to lend or advance money upon bottomry or respondentia, to make insurance on lives, to grant and purchase annuities, to lend money on the security of real and personal property or either, or on bonds, bills, or promissory notes, or other good securities, to make any other contingent contracts involving the duration of life, and generally to transact and perform all the business relating to the objects aforesaid according to the usage and customs of merchants, and by such contracts effectually to bind and pledge its said members each according to his, her, their or its rate of insurance and amount insured according to its rules, by-laws or regulations established: *Provided*, That no member shall be liable for more than one-tenth of the amount of his, her, their or its insurance.

Marine risks.

Fire insurance.

Bottomry.

Life insurance annuities.

Loans.

Other business.

Pledge of members.

Limit.

Assessment on members.

SEC. 7. That in case any destruction, damage or accident shall occur to any property insured by said company, it shall and may be lawful to and for the Board of Directors, after ascertaining the amount of damages, to assess all the members according to the amount and rate of their insurance. One month's notice shall be publicly given in some newspaper published within the State of the amount and time of payment of such assessment, within which period the same shall be paid to the Treasurer; and if any member neglects to pay his, her, their or its assessment within the period fixed as aforesaid, the quota of such member, with interest from the date at which such assessment is limited

Notice.

Penalty for defaults.

A. D. 1892.

to be paid, shall be taken from his, her, their or its premium, and such member shall no longer be insured, but be immediately debarred from all rights and privileges of the company; the residue of the premium of such member shall be forfeited to the company and be disposed of as may be provided by the said corporation or by its rules or by-laws. But should the premium of such defaulting member applicable thereto under the rules, by-laws or regulations of said corporation not be sufficient to pay such member's portion of losses incurred, with the interest thereon as aforesaid, then the said corporation may recover from such defaulting member the amount of his, her, their or its assessment which may remain unpaid, with the interest thereon: *Provided*, No member shall be liable for more than one-tenth of the amount of his, her, their or its insurance.

Forfeiture.

Recovery of deficiency.

Limit.

Voting.

SEC. 8. That in all elections and on all questions to be passed on by said corporation each member shall be entitled to one vote, and all elections shall be conducted by ballot.

Fraudulent misrepresentations.

SEC. 9. That any fraudulent misrepresentation as to the capital, property or resources of said company shall be deemed a misdemeanor.

Public Act.

Duration.

SEC. 10. That this Act shall be deemed a public Act, and shall continue in force for the period of thirty years from the date of its approval.

Approved Decem er 15th, A. D. 1892.

No. 124. AN ACT TO AMEND THE CHARTER OF THE CHARLESTON ICE MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said corporation be, and the same is hereby, authorized and empowered, in addition to the business and purposes for which it was chartered, to engage in the business of manufacturing, bottling, selling and dealing generally in beer, ale and all other malt liquors, and also in soda and mineral waters of every and any character, subject to the existing laws of this State.

Further business authorized.

Approved December 20th, A. D. 1892.

AN ACT TO AMEND THE CHARTER OF THE CHARLESTON ICE MANUFACTURING COMPANY.

A. D. 1892.

No. 125.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said corporation be, and the same is hereby, authorized and empowered, in addition to the business and purposes for which it was chartered, to engage in the business of manufacturing, bottling, selling and dealing generally in beer, ale and all other malt liquors, and also in soda and mineral waters of every and any character, subject to the laws of the State now existing or hereafter enacted.

Further business authorized.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE "COLUMBIAN BANKING AND TRUST COMPANY," OF CHARLESTON, SOUTH CAROLINA.

No. 126.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. Rahde, Joseph Dothage, N. C. Luden, E. H. Doscher, Henry Haesloop, L. C. A. Roessler, E. B. Hollings, and Frank A. Dothage, together with such other persons as are, or hereafter may be, associated with them, shall be, and they are hereby, constituted and made a body corporate and politic, under and by name of "The Columbian Banking and Trust Company," to be located in Charleston, South Carolina.

Incorporation.

Name and location.

SEC. 2. The parties aforesaid shall have the power to raise by subscription a capital for said corporation of twenty-five thousand dollars, in five hundred shares of fifty dollars each: *Provided, however,* The said corporation shall have power and authority from time to time, as often as the occasion requires, to increase its capital stock to an amount not exceeding five hundred thousand dollars, by a vote of two-thirds in value of the stockholders at the time of such increase had at a meeting called for the purpose, and by and in pursuance of a notice given at least ten times within thirty days in some newspaper published in the city of Charleston, giving the time, place and purpose of the meeting of the stockholders. That when said capital stock

Capital stock.

Increase.

Notice of meeting.

A. D. 1892.

is increased a certified copy of the resolution increasing said capital stock shall be filed in the office of the Secretary of State. And the said corporation may, by its laws, provide for the manner of raising and distributing such additional capital stock: *Provided*, That upon such increase every person then a stockholder in said corporation shall have the option of subscription thereto in proportion of the amount of stock he or she may then hold, under such regulations as the said corporation may, by its by-laws, prescribe.

Certificate of increase.

Distribution.

Preference to existing stockholders.

Rights and limitations.

SEC. 3. That said corporation shall have, and is hereby vested with, all the powers, rights and privileges, and is hereby subject to all liabilities and restrictions, contained in the Act entitled "An Act to provide for and regulate the incorporation of banks in this State," approved December 24th, 1885, except where the same provides that no more than an amount equal to one-half of the capital stock of said corporation shall be invested in mortgages of real estate at any one time, and except in so far as the said Act, or any part thereof, is inconsistent with the provisions of this Act or any part thereof.

19 Stat., 212.

Exceptions.

Banking powers.

SEC. 4. That the said corporation is hereby authorized to carry on, transact a general banking, savings and trust and other like business. And in the conduct of the same is hereby empowered to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds, in such securities as may be deemed by the management of said corporation safe and desirable, including bank or other stocks, bonds, notes, bills, choses in action, and bonds and stocks of this or any other State, or the United States; to lend money on real or personal security of all or any kind; to receive and pay out the lawful currency of the country, and deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations; to buy and sell on commission stocks, bonds, real estate, manufactories, mines, timber and mineral lands, and all kinds of real and personal property; to negotiate loans on commission; to receive deposits of trust money, securities, and other personal property, from any person or corporation; to act as trustee under any mortgage, deed of trust or bond or other instrument in writing issued by any municipality, body politic or corporate, or individual, and to accept and execute any other municipal or corporate trust not inconsistent with the laws of this State or of the United States; to act as the fiscal or transfer agent of any State or other govern-

Investments.

Loans.

Exchange.

Brokerage.

Deposits.

May act as Trustee.

Fiscal agents.

ment, municipality, body politic or corporate, or individual, and in such capacity to receive and disburse money, and to transfer, register and countersign certificates of stock, bonds, or other evidences of indebtedness; to accept trusts from and execute trusts for or on behalf of married women in respect to their separate property, whether real or personal, and to be their agent or trustee in the management of such property, or to transact any business in relation thereto; to act under the appointment of any Court of record as guardian or trustee of the estate of any minor or other person under any disability, and the depository of any moneys paid into Court, whether for the benefit of any such minor or any other person, corporation or party; to be appointed and to accept the appointment of executor, or trustee under the last will and testament, or administrator with or without the will annexed, of the estate of any deceased person; and to be appointed and to act as the committee or trustee of the estate of lunatics, idiots, persons of unsound minds and habitual drunkards; to take, accept and execute any and all such legal trusts, duties and powers in regard to the holding, management and disposition of any estate or property, real or personal, and the rents and profits thereof, or the sale thereof, as may be granted or confided to it by any Court of record in this or any other State, or by any person, corporation, municipality or other authority; to take, accept and execute any and all such trusts and powers of whatever nature or description as may be conferred upon or intrusted or committed to said corporation by any person or persons, or any body politic, corporation, or other authority, by grant, assignment, transfer, devise, bequest or otherwise, or which may be entrusted or committed or transferred to or vested in said company by order of any Court of record, and to receive, and take and hold, any property or estate, real or personal, which may be the subject of such trust; and, generally, to do and perform all acts connected with its said business.

A. D. 1892.

Trusts for married women.

Guardian or Trustee.

Executor, &c.

Committee.

Other trusts.

General powers

SEC. 5. Each stockholder shall have one vote for each share of the capital stock of the said corporation he or she may own or represent at all elections and all meetings of the company, and the Board of Directors of said corporation are authorized to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Voting by stockholder.

Proxies.

SEC. 6. The capital stock of said corporation shall be deemed personal property, and the said corporation shall have authority

Personal property.

A. D. 1892.

Shares. in its by-laws, or by the Board of Directors, to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for the collecting or enforcing by sale or otherwise all subscriptions made thereto.

Enforcement of by-laws. SEC. 7. The said corporation shall have power to enforce upon their members the due observance of all rules and by-laws for the government and management of the affairs of the corporation,

Actions. and to this end, if need be, shall and may institute and maintain in their corporate name, against any one or more of their members, all necessary suits, actions and pleas for the recovery of any sum or sums of money to the use of said corporation in as ample a manner as such suits might be maintained against persons not members of said corporation.

Deposits by married women and minors. SEC. 8. When any deposit is made by a person being a married woman or a minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be a lawful discharge therefor.

Public Act. SEC. 9. That this Act shall be deemed and taken as a public Act, shall be judicially taken notice of without special pleading,

When to take effect. shall take effect immediately upon its approval, and shall con-

Duration. tinue of force for fifty years, and until the final adjournment of the General Assembly meeting next thereafter.

Approved December 15th, A. D. 1892.

No. 127. AN ACT TO INCORPORATE THE COMMERCIAL MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

Incorporation. General Assembly, and by the authority of the same, That Francis J. Pelzer, William B. Whaley, Andrew Simonds, John S. Murdoch, Francis S. Rodgers, Paul S. Felder, and their associates and successors, be, and they are hereby, made and created a body

Name and location. politic and corporate, under the name and style of the Commercial Manufacturing Company, to be located at or near the city of

Purposes. Charleston, in this State, for the purpose of digging, mining and importing marl, lime, coal and minerals of any and every kind, whether of like nature to those above enumerated or not, and selling

Manufacture from minerals. or dealing in the same; of grinding and manufacturing goods and

articles of every kind which can be manufactured from minerals of any kind, either alone or in conjunction with any other materials, or in which the said minerals or any of them may form a part, and any other article of any nature or kind whatsoever which they may from time to time desire, and the using or selling the same, selling merchandise, producing and making all machinery, tools and implements necessary to or used for such purposes; with power also to develop power by electricity, and utilize the same; to erect such mills, buildings, machine shops, stores, dwellings and other works as may be required or necessary to carry out any or all of such branches of manufacture and business, and also for the transaction of any and all business connected with the purposes so recited. A. D. 1892. Merchandising. Electricity. Buildings.

SEC. 2. The said corporation may purchase and hold all such real estate or personal property of any and every kind as they may from time to time deem proper, or such as they may be obliged or may deem for its interest to take in settlement of any debts due to said corporation, and may dispose of the same in such manner and on such terms as it may deem proper; may sue and be sued; may have and use a common seal; shall have full power to lay off its lands into lots and parcels, and to lease, sell, donate or convey the same; to make sales, donations or loans of its lands or other property, money or effects to individuals or other corporations; to build and construct railroads, tramways or dummy lines not exceeding twenty miles in length, and operate the same, taking for such carriage or transportation reasonable fare or tolls, and using such motive power, steam, water or electrical, as may be deemed best for the purpose of reaching other lines of transportation, or in the conduct and management of the business of the company, or in the construction or operation of mills, factories, work shops, machine shops, and all other industrial enterprises of all kinds, of like nature to those enumerated; to invest the whole or any part or parts of its capital, funds or property in the capital stock or bonds of, or become a stockholder by subscription, either in cash or in property, real or personal, or by purchase of stock in any other corporation, formed or to be formed, and to retain or dispose of such stock, in whole or in part, at pleasure, exercising, while holding the same, all the rights, powers and privileges of stockholders in such corporations; to lease, construct and operate, or to assist other persons or corporations, in such manner as the said corporation may deem desirable, in leasing, constructing, owning and oper- Property rights. Other powers. Railroads. Motive power. Investments. Leasing and construction powers.

A. D. 1892.

ating mills, factories, work shops or other industrial enterprises of like character to those above enumerated; to construct, own, rent and sell houses and other improvements, and to improve its lands in such manner as it may deem fit; to issue bonds from time to time in such amounts as it may deem proper for the payment of money borrowed, or for its indebtedness, with or without security, and to secure the same by mortgage or mortgages on the whole or any part of its property, if it so deem proper; and to make such bonds convertible into stock of the corporation, common or preferred, under such regulations and conditions as it may deem advisable; to make such by-laws for the regulation and government of the said corporation in any and all matters whatsoever not inconsistent with the Constitution and laws of the United States and of this State as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; and shall have also all the rights, powers and privileges in law incident or appertaining to corporations under the general incorporation laws of this State. The principal office of the said corporation shall be and remain fixed at or near the city of Charleston.

Buildings and lands.

Bonds and mortgages.

Conversion into stock.

By-laws.

General powers.

Location.

Capital stock.

SEC. 4. The parties aforesaid shall have power to raise by subscription a capital for the said corporation of five hundred thousand dollars ($500,000), in five thousand (5,000) shares of one hundred dollars ($100) each: *Provided, however,* That a majority of the Board of Directors of the said corporation shall have the power, from to time time, and as occasion may require, to increase the said capital stock to any extent not exceeding fifteen million ($15,000,000) dollars, whenever they deem proper so to do; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock; and the said corporation shall have power to issue so much of its capital stock as preferred stock as it may deem proper, with such preferences over the common stock, either as to dividends or final distribution, and with such rights to convert the same into common stock, as they may deem advisable.

Increase.

Distribution.

Preferred stock.

Liability of stockholders.

SEC. 5. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided,* That such demand shall have been payable within one year: *Provided, also,* That proceedings to hold such stockholder liable therefor shall be commenced within one year after such debt may have

Provisoes.

become due, and whilest he remains a stockholder therein, or within one year after he shall have ceased to be such stockholder: *Provided, further,* That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any fiduciary capacity. A. D. 1892. Trustees, &c.

SEC. 6. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings. Voting by stockholders. Proxies.

SEC. 7. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise all subscriptions made thereto. Personal property. Shares of stock.

SEC. 8. That this Act shall be deemed and taken as a public Act, and shall go into effect from and immediately upon the date of its approval. Public Act. When to take effect.

SEC. 9. Nothing in this Act contained shall be so construed as to allow the said corporation, either directly or indirectly, or any corporation controlled by the said Commercial Manufacturing Company, or in which it holds stock or has any interest whatsoever either in this State or in any other State, or any individual, individuals or corporations, acting in any way for or on behalf of the said Commercial Manufacturing Company, or employed by it, to mine or dig phosphate rock or phosphatic deposits or to engage in any way in the business of such mining or digging either in this State or in any other State; and that all powers and privileges in respect to the digging and mining of phosphate rock or phosphatic deposits contained or granted in the charter of any company or companies holding stock in the said Commercial Manufacturing Company, or in which said company holds stock, be, and they are hereby, repealed and taken away. Mining of phosphate rocks prohibited. Rights taken away from other companies.

Approved January 5th, A. D. 1893.

A. D. 1892. No. 128.

AN ACT TO INCORPORATE THE "DEEP WATER TERMINAL COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Ernest St. George Lough, P. Edwin Gregory and Henry Buist, and such other persons as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate.

Incorporation.

Name.

SEC. 2. The name and style of such company shall be the "Deep Water Terminal Company."

Organization.

SEC. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place of meeting of said stockholders, of which fifteen days' notice shall be given by advertisement in any newspaper published in the city of Charleston; at which time and place the said stockholders may proceed to the organization of the said company by the election of such officers as the said stockholders may determine; that the capital stock of the said company may be increased from time to time, as the stockholders may determine, to any sum not exceeding two million dollars, subscription to which may be in money or other property; such capital stock may be in shares of one hundred dollars each, and may be transferable in such manner as the by-laws may direct.

Notice of meeting.

Officers.

Capital stock.

Shares.

May own vessels.

SEC. 4. That the said company is authorized and empowered to build, purchase, own, hold, use, sell, or otherwise dispose of, steamships, steamboats, tugs, lighters and sailing vessels in connection with its railroad transportation, so as to carry on the business of a general through coastwise and foreign transportation to and from any points of its lines and connections; and the said company may own and operate wharves, warehouses, elevators and cotton presses in the city of Charleston, and may charge for wharfage, storage and compressing therein, and may own stock in railroad or railway companies, and may connect the wharves now built, or that may be hereafter built, on the Western side of the city of Charleston with the railroads terminating in said city by a track or tracks, and for such purposes it shall have all the corporate rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation

Carry on transportation business.

Wharves, warehouses, &c.

Tolls.

Railroads.

19 Stat., 171.

of railroad companies in this State," approved December 23d, 1885: *Provided,* That said railroad be completed within five years from the date of the approval of this Act. A. D. 1892. Proviso.

SEC. 5. This Act shall be a public Act, and shall take effect from the date of its passage, and remain in force for the term of thirty years. Public Act. When to take effect. Duration.

SEC. 6. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing clause.

Approved January 7th, A. D. 1893.

AN ACT TO INCORPORATE THE EVANGELICAL LUTHERAN CHARITIES SOCIETY, OF CHARLESTON, S. C. No. 129.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Rev. Edward T. Horn, Pastor of the Lutheran Church of German Protestants, known as St. John's Evangelical Church, Charleston, Rev. L. Muller, D. D., and Rev. W. A. C. Muller, pastors of St. Matthew's German Lutheran Church of Charleston; Rev. R. C. Holland, D. D., Pastor of the Wentworth Street Lutheran Church, Charleston; Rev. K. Bolt, Pastor of St. Johannes Church of Charleston, and their successors in the pastoral office, and their associates as hereinafter provided, are hereby made and created a body politic and corporate, under the name and style of the Evangelical Lutheran Charities Society, of Charleston, S. C., for the purpose of carrying on works of Christian charity in connection with the "Evangelical Lutheran Church," and for the purpose of executing such charitable trusts as may be confided to them by gift, bequest or otherwise. Corporators. Incorporation and name. Purposes.

SEC. 2. That the said Evangelical Lutheran Charities Society, of Charleston, S. C., shall consist of the churches named in the first Section of this Act, and their successors as such, and not more than two lay members from each of said congregations, to be elected by each congregation respectively: *Provided,* Each congregation shall have equal representation. That said lay Trustees shall be residents in the city of Charleston, and shall be chosen annually, and shall serve without compensation. That Constituents of the corporation. Lay Trustees.

A. D. 1892.

said Evangelical Lutheran Charities Society, of Charleston, S. C., shall by its said name have perpetual succession of officers and members; the right to use and keep a common seal, and the same to alter at will; to sue and to be sued, to plead and to be impleaded, and to have and to enjoy all and every right and privilege, power and franchise incident and belonging to incorporate bodies. They shall also have full power and authority from time to time to make, constitute and establish such by-laws, rules and regulations as to them shall seem proper and necessary for the better conduct, government and direction of themselves as a Board of Trustees, and also of the charitable institutions under their control: *Provided always, nevertheless,* That the same be not inconsistent with the laws of the land.

Succession.

Other powers.

By-laws.

Proviso.

Property rights.

SEC. 3. That the said Evangelical Lutheran Charities Society, of Charleston, S. C., is hereby authorized and empowered to receive and hold donations, devises, bequests and legacies, and to hold real and personal estate, to the amount of one million dollars, for the use and benefit of such charities as they may undertake in the city of Charleston, S. C., or as may be entrusted to them.

Limit.

Recital of devise and bequest

SEC. 4. That whereas C. D. Franke, deceased, by his last will and testament, did constitute the pastors named in Section 1 of this Act Trustees to receive and transfer to such society or corporation, thereafter to be incorporated by an Act of the Legislature of South Carolina, the residue of his estate at the death of his wife, after the payment of certain legacies specified in his will, for the purpose of establishing and maintaining in the city of Charleston a hospital and home to be called the Jacob Washington Franke Lutheran Hospital and Home, and the said Trustees are authorized to assign, transfer and convey the said residuum to the said Evangelical Lutheran Charities Society, of Charleston, S. C., which is hereby authorized and empowered to receive the said conveyance and execute this trust, in strict accordance with the last will and testament of said C. D. Franke, if said Trustees shall elect to transfer it to them.

Hospital and Home.

Authorised to receive trust.

Repealing clause.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act are hereby repealed; and this Act shall be deemed a public Act, and is to take effect from and immediately after its passage.

Public Act.

When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CONFIRM AND AMEND THE CHARTER OF THE EXCHANGE BANKING AND TRUST COMPANY."

A. D. 1892.

No. 130.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to confirm and amend the charter of the Exchange Banking and Trust Company," approved December, 1891, be, and the same is hereby, amended by the addition thereto of the following Section, to be known as Section eleven:

A. A. 1891, 29 Stat., 1286, amended.

Section added.

SECTION 11. That in all cases where any bond shall be required of the said Exchange Banking and Trust Company in the exercise of any of the powers or franchises conferred upon it by this Act, it shall be within the discretion of the Court before whom such matter shall be pending, or any Judge thereof, to allow such bond to be given with or without security: *Provided*, That at any time thereafter during the continuance of such bond any party in interest, either in person or by guardian or next friend, may move the said Court or Judge to modify its previous order and require sureties on the bond of the said company.

Security on bonds may be dispensed with.

Sureties may be demanded.

Approved December 15, A. D. 1892.

AN ACT TO AMEND AND CONFIRM THE CHARTER OF THE GREAT SOUTHERN FIBRE COMPANY.

No. 131.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Great Southern Fibre Company, chartered as a corporation by a certificate of incorporation issued by the Secretary of State of the State of South Carolina, dated the sixteenth day of November, Anno Domini eighteen hundred and ninety-two, be, and the same is hereby, amended, by hereby giving and granting to the said corporation, in addition to the general purpose of the said corporation and the nature of the business which it purposes to do, as specified in its said charter, the right, power and authority from time to time, and at any time, if it sees fit to

Charter amended.

Manufacturing powers.

A. D. 1892.

do so, to manufacture mattresses and wooden ware, both or either.

Charter confirmed.

SEC. 2. That the charter of the said corporation, as hereby amended, be, and the same is hereby, confirmed, with all the rights, privileges and powers conferred on private corporations formed for the purpose of carrying on any manufacturing, mining, industrial, labor, immigration, or other business, except for railroad purposes, under an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved 23rd December, 1886, and the amendments thereto.

19 Stat., 540.

Approved December 15th, A. D. 1892.

No. 132. AN ACT TO INCORPORATE THE MISHAW RIFLE GUARDS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Thos. W. Smith, Aaron McCoy, John Harleston, George S. Gibson and John J. Frazier, and all such other persons as they may associate with themselves, and their successors, are hereby made and constituted a body politic and corporate under the name and style of the Mishaw Rifle Guards, of the city of Charleston, South Carolina.

Incorporation.

Name.

Rights and powers.

SEC. 2. That the said company or corporation may have a common seal; may sue and be sued, plead and be impleaded, in any Court of the State; and make all such rules, regulations and by-laws as are not inconsistent with the law of the land, and not in violation of any of the laws regulating or governing the militia of this State. That all the property such as real estate and other property they may acquire from time to time shall be held in trust by a Board of five (5) Trustees for the use of said company and their successors in office or assigns.

Board of Trustees.

Names of Trustees.

SEC. 3. That the said Thomas W. Smith, Aaron McCoy, John Harleston, George S. Gibson and John J. Frazier shall constitute the said Board of Trustees. Vacancies occurring on said Board from death, resignation or removal for cause shall be filled by an election to be held for that purpose by a two-third vote of the entire membership, said election to be held at a regular

Vacancies.

meeting after due notice has been given. That this shall be deemed a public Act, and take effect immediately after its passage. A. D. 1892. Public Act. When to take effect.

SEC. 4. This Act to continue in force for the period of fourteen years. Duration.

Approved December 22nd, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE NATIONAL LAND IMPROVEMENT AND MANUFACTURING COMPANY," AND THE ACTS AMENDATORY THEREOF. No. 133.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the National Land Improvement and Manufacturing Company," approved December 24th, 1890, as amended by an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the National Land Improvement and Manufacturing Company,'" approved December 16th, 1891, be, and the same is hereby, amended by inserting after the word "laws" and before the word "and" in the second proviso in the fourth Section of said first mentioned Act as amended by the fourth Section of the Act amendatory thereof the words "for condemnation by railroads and just compensation be paid by it therefor;" and also by adding at the end of said proviso, after the word "cities," the words "and charge toll for the use thereof." So that the said Section as amended shall read as follows: A. A. 1890, § 4, 20 Stat., 328, amended. 20 Stat., 1299.

That the sixth Section of said Act be, and the same is hereby, amended by adding the following words at the end thereof, to wit: "And the said company is further empowered to build and construct any railroad or railroads over, to and from any property that it may own or control, not exceeding fifty miles in length, and to connect with any public road, body or bodies of water, river, stream, creek or railroad, and to cross the same, and shall have the right to build a bridge or bridges across any navigable streams: *Provided*, Said bridge or bridges are constructed with suitable draws; and said company have the right to take for its Construction of railroads. Bridges.

A. D. 1892.

right of way one hundred feet on each side of the centre of its road bed: *Provided*, The same be condemned by it according to existing laws for condemnation by railroads and just compensation to be paid by it therefor; and the said company is further empowered, by and with the consent of the Council of any towns or cities through which it may pass, or at which its road may terminate, to construct its track through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in such towns or cities and charge toll for the use thereof: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which said road may be constructed or extended." And said company shall have the right at any time it may see fit in the conduct of its business to sell, lease or dispose of any part or parts of its property or rights; and said company shall also have the right to charge such wharfage as it may see fit upon any wharf or wharves erected, owned or leased by it or upon any part thereof.

Condemnation of lands.

Use of streets.

Extension to landings.

Toll.

Precautions.

Sale or lease.

Wharfage.

Approved December 19th, A. D. 1892.

No. 134. AN ACT TO AMEND THE CHARTER OF THE PALMETTO BREWING COMPANY, OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Palmetto Brewing Company, of Charleston, S. C., chartered as a corporation by a certificate of incorporation issued by the Secretary of State of South Carolina, dated the seventh day of January, Anno Domini eighteen hundred and eighty-nine, be, and the same is hereby, amended by hereby giving and granting to the said corporation, in addition to the general purpose of the said corporation and the nature of the business which it purposes to do, as specified in its said charter, the right, power and authority from time to time, and at any time, if it sees fit to do so, to manufacture ice for sale and to deal in the same.

Charter, 20 Stat., 640, amended.

Power to manufacture ice.

SEC. 2. That this Act shall be deemed a public Act, and shall take effect immediately on its approval.

Public Act.

When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE ROMAN CATHOLIC CHURCH OF ST. PATRICK, IN CHARLESTON, SOUTH CAROLINA.

A. D. 1892.

No. 135.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Rt. Rev. D. J. Quigley, Rector of St. Patrick's Church, and his successors in office, and M. Storen, John Kennerty, L. E. Cordray, James Colcolough, D. O'Brien, H. L. Cade, A. Dufort, D. Sullivan, P. Devereux, E. P. McSwiney, M. P. Clear and A. J. Riley, the present Vestry of St. Patrick's Church, of Charleston, South Carolina, and their successors in office duly appointed, be, and are hereby, declared to be a body politic and corporate, under the name and style of "Saint Patrick's Church," to promote the public and private celebration of divine worship according to the forms and doctrines of the Roman Catholic Church, and by said name shall have perpetual succession of the offices and members and a common seal, with power to change, alter, break and make new the same as often as said corporation shall deem expedient.

Corporators.

Incorporation and name.

Purposes.

Succession and seal.

SEC. 2. That the said corporation by said corporate name shall be able and capable in law to purchase, have, hold, secure, enjoy, possess and retain to itself in perpetuity or for any term of years any lands or tenements of any nature whatsoever, and any money or other personal property of any nature whatsoever: *Provided*, Such real and personal property shall not in the aggregate exceed in value the sum of two hundred thousand dollars; and to sell, mortgage, lease and alien the same as said corporation shall see fit; and by said corporate name to sue and be sued, plead and be impleaded, answer and be answered unto, in any and all the Courts in South Carolina and in the United States; and to make such rules and by-laws as are not repugnant to the laws of the land, as said corporation deem proper for the order, good government and management of its business and affairs.

Property rights.

Limit.

Other powers.

By-laws.

SEC. 3. That it shall and may be lawful for said corporation to take, receive, have and hold to it and its successors' use any bequest, legacy, donation or devise of money, land or other real or personal estate, and the same to use for the purpose of said corporation as a majority of the members thereof determine: *Provided*, The aggregate of the property, real and personal, held under this and the preceding Section shall not exceed in value the sum of five hundred thousand dollars.

May accept devise, donation, &c.

Limit.

A. D. 1892.

Limitation of objects of Act.

SEC. 4. That this Act shall not be deemed or taken as intended to alter or change the status of the Roman Catholic Church, of St. Patrick, in Charleston, South Carolina, nor to effect the title of any real or personal estate now held by any person or persons in the name of or for the use or benefit of said Church.

Public Act.

Duration.

SEC. 5. That this Act shall be deemed a public Act and continue in force until repealed.

Approved December 20th, A. D. 1892.

No. 136. AN ACT TO INCORPORATE THE SOUTHERN NAVIGATION AND MANUFACTURING COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. W. Taft, John W. Lewis, William E. Huger and George B. Edwards, and their associates and successors, be, and they are hereby, made and created a body politic and corporate, under the name and style of the Southern Navigation and Manufacturing Company, to be located in the County of Charleston, in this State, for the purpose of building, purchasing or in any way acquiring and owning ships and vessels of any and every kind; of establishing and maintaining lines of vessels from any port or ports in this State to any other port or ports; of importing and exporting, buying and selling and otherwise dealing in articles and materials, crude or manufactured, of any and every kind and description; of manufacturing and selling any articles, products or goods made from materials of any nature or kind whatsoever; with power to erect and construct wharves, storehouses, elevators, mills, buildings, and such other works as may be required or necessary to carry out any or all of such business and manufacture; to sell, lease, rent or otherwise dispose of the same; and also to do any other thing which may be necessary for the transaction of any and all business connected with the purposes so recited.

Incorporation.

Name and location.

Purposes.

Wharves, warehouses, &c.

General powers.

Property rights.

SEC. 2. The said corporation may purchase, hold and sell all such real and personal estate as it may from time to time deem necessary, or such as it may be obliged or may deem it for its interest to take in settlement of any debts due to said corpora-

A. D. 1892.

tion, and may dispose of or mortgage the same in such manner and on such terms as it may deem proper; may purchase, hold and sell all such personal property and articles of every description as it may deem proper; may sue and be sued; may have and use a common seal; shall have full power to make sales, donations or loans of its lands, money or effects to individuals or other corporations; to build and construct tramways or dummy lines, not exceeding twenty miles in length, and to operate the same, taking for such carriage or transportation reasonable fares or tolls, and using such motive powers, water or electrical, as may be deemed best, in such direction as may be necessary or advisable in connecting the separate parcels of such property together, or in reaching other lines of transportation, or in the conduct and management of the business of the company, or in the construction or operation of wharves, storehouses, elevators, mills and factories; to lease, construct and operate vessels, wharves, elevators, mills, factories or other industrial enterprises of like kind; to issue bonds from time to time in such amounts as it may deem proper, and to secure the same by mortgage or mortgages on the whole or any part of its property; to make such by-laws for the regulation and government of the said corporation in any and all matters whatsoever not inconsistent with the Constitution and laws of the United States and of this State as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; and shall have, generally, all the rights, powers and privileges in law incident or appertaining to like corporations.

Other rights.

Tramways.

Tolls.

Motive power.

Power to lease, construct and operate.

Bonds and mortgages.

By-laws.

General powers.

Capital stock.

SEC. 3. The parties aforesaid shall have power to raise by subscription a capital for the said corporation of five hundred thousand dollars, in five thousand shares of one hundred dollars each: *Provided, however,* That a majority of the Board of Directors of the said corporation shall have the power from time to time, and as occasion may require, to increase the said capital stock to any extent not exceeding two million dollars, whenever they deem proper so to do; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock; and the said corporation shall have power to issue so much of its capital stock as preferred stock as it may deem proper, with such preferences over the common stock either as to dividends or final distribution, and with such rights to convert the same into common stock, as it may deem advisable.

Increase.

Preferred stock.

Liability of stockholders.

SEC. 4. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount,

A. D. 1892.

besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee or in any other fiduciary capacity.

Provisoes.

Trustees, &c.

Voting by stockholders.

SEC. 5. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Proxies.

Personal property.

SEC. 6. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto.

Issue and transfer of shares.

Public Act.

When to take effect.

SEC. 7. This Act shall be deemed and taken as a public Act, and shall go into effect from and immediately upon the date of its approval.

Approved January 7th, A. D. 1892.

No. 137. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE WEST END RAILWAY COMPANY," APPROVED DECEMBER 23RD, A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the West End

A. A. 1890, p. 1, 20 Stat., 833, amended.

Railway Company," approved December 23d, A. D. 1890, be, and the same is, amended by striking out the words "two hundred thousand" on the eleventh line thereof and inserting the words "one million" in lieu thereof. So that said Section as amended shall read : A. D. 1892.

SECTION 1. That Geo. B. Edwards, of the city of Charleston, Samuel J. Pregnall, Michael Kelly, M. A. Connor and Dennis O'Neill, of the city of Charleston, and their associates, be, and they are hereby declared to be, a body politic and corporate, under the name and style of "The West End Railway Company," and by and under that title shall have power to take, subscribe and raise a capital stock in the manner provided by law to the amount of one million dollars in shares of fifty dollars each. Incorporation. Name. Capital stock.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to the public schools of the city of Charleston, see Act No. 56, ante page 110.

For Act relating to hunting, &c., in Charleston County, see Act No. 112, ante page 129.

For Act regulating the catching of terrapins in Charleston County, see Act No. 113, ante page 180.

AN ACT TO INCORPORATE THE TOWN OF EDGEMOOR, IN CHESTER COUNTY, SOUTH CAROLINA. No. 138.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and of this State who now are, or hereafter may be, residents of this State for one year, and of the town of Edgemoor, in Chester County, for sixty days shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known and called by the name of Edgemoor, and the corporate limits of said town shall be one square mile, the sides whereof shall run North, South, East and West, and the centre whereof shall be a point on bridge crossing the Georgia, Carolina and Northern Railroad track. Incorporation. Name and limits.

SEC. 2. That the said town shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than Rights and limitations. 19 Stat., 174.

A. D. 1892.

one thousand inhabitants," approved December 23d, 1885. The first election for Intendant and Wardens of said town shall be held on the 10th day of January, 1893, between the hours of 9 A. M. and 4 P. M., and D. D. Chambers, W. F. Adams and W. C. Woods are hereby appointed Commissioners to hold said election, count the votes and declare the result: *Provided*, That no spirituous or intoxicating liquors shall be sold within the corporate limits of said town.

First election.

Sale of liquors prohibited.

Public Act.

When to take effect.

Duration.

SEC. 3. That this Act shall be deemed a public Act, shall go into effect from the date of its approval, and shall continue of force for a period of thirty years and until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1892.

No. 139. AN ACT TO INCORPORATE THE INDIANOLA MANUFACTURING AND POWER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William A. Courtenay and Francis J. Pelzer, of Charleston, S. C.; Jno. R. London, of Rock Hill, S. C.; D. A. Tompkins, of Charlotte, N. C.; J. H. Smith, of Chester, S. C.; Thomas C. Robertson, Allen Jones and James Woodrow, of Columbia, S. C., and William B. Whaley and Herman Baer, of Charleston, S. C., and their associates and successors, be, and they are hereby, made and created a body politic and corporate, under the name and style of the Indianola Manufacturing and Power Company, to be located on lands heretofore forming part of what was known as the Landsford Plantation, on the Catawba River in the County of Chester, in this State, for the purpose of manufacturing, spinning, dyeing, printing, finishing and selling all goods of every kind made of cotton or wool, or of which cotton, wool or other fibrous articles may form a part, and any other article of any nature or kind whatsoever which they may from time to time desire; for spinning cotton, grinding and milling wheat, corn and other grains, sawing lumber and selling merchandise, and for producing and making all machinery, tools and implements necessary to or used for such purposes; with power also to develop power by electricity, and utilize the same; to erect wires for the transmission

Corporators.

Incorporation, name and location.

Purposes.

Electrical power

A. D. 1892.

of such power to distant points, and to furnish and sell the same to other parties; to erect such dams, canals, mills, buildings, machine shops, stores, dwellings and other works as may be required or necessary to carry out any or all of such branches of manufacture and business, and also for the transaction of any and all business connected with the purposes so recited.

Dams, canal, buildings and other works.

SEC. 2. The said corporation may purchase and hold all such real and personal estate as may from time to time be required for its purposes, or such as it may be obliged or may deem for its interest to take in settlement of any debts due to said corporation, and may dispose of the same in such manner and on such terms as it may deem proper; may sue and be sued; may have and use a common seal; shall have full power to lay off its lands into lots and parcels, and to lease, sell, donate or convey the same; to make sales, donations or loans of its lands, or other property, money or effects, to individuals or other corporations; to build and construct railroads, tramways or dummy lines and operate the same, taking for such carriage or transportation reasonable fare or tolls, and using such motive powers, steam, water or electrical, as may be deemed best, in such directions as may be necessary or advisable in connecting the separate parcels of such property together, or in reaching other lines of transportation, not to exceed twenty miles in length, or in the conduct and management of the business of the company, or in the construction or operation of mills, factories, work shops, machine shops, and all other industrial enterprises of all kinds, whether of like nature to those above enumerated or not, or for such other purposes as the said company may deem for its interest; to invest the whole or any part or parts of its funds or property in the capital stock or bonds of and become a stockholder by subscription, either in cash or in property, real or personal, or by purchase of stock, in any other corporation formed or to be formed, and to retain or dispose of such stock in whole or in part, at pleasure, exercising all the rights and powers of stockholders in such corporations; to lease, construct and operate, or to assist other persons or corporations, in such manner as the said corporation may deem desirable, in leasing, constructing, owning and operating mills, factories, work shops, or other industrial enterprises of any kind and whether herein enumerated or not, and at its pleasure to incorporate the same; to construct, own, rent and sell houses and other improvements, and to improve its lands in such manner as it may deem fit; to issue bonds from time to time in such amounts

Property rights.

Other powers.

Railroads, &c.

Tolls.

Motive power.

Investments in other corporations.

Leasing and operating powers.

Improvements.

Bonds and mortgages.

A. D. 1892.

as it may deem proper, for the payment of money borrowed, or for its indebtedness, and to secure the same by mortgage or mortgages on the whole or any part of its property; to make such by-laws for the regulation and government of the said corporation in any and all matters whatsoever not inconsistent with the Constitution and laws of the United States and of this State as may be deemed necessary; and may add to, alter and amend the same from time to time as may be desired; and shall have, also, generally, all the rights, powers and privileges in law incident or appertaining to corporations.

By-laws.

General powers.

Water works.

SEC. 3. The said corporation shall also have full power to do all acts necessary to open, construct and operate such system or systems of water works as it may deem advisable, and to extend and enlarge the same from time to time as it may deem necessary, drawing its water from such source or sources of water supply to such reservoir or pumping station as may be most convenient, and it shall be a misdemeanor, punishable by fine or imprisonment, for any person in any way to defile or pollute the waters in any such source, water supply, canal, aqueduct or conduit used or to be used by said company, or to obstruct or in any way damage the same, or divert the water therefrom, without permission from said corporation, or to carry off without permission, break or injure, any pipe, cock, valve, machinery or other property that may be used in connection with said water supply, or to take water from any hydrant, cock or other fixture connected with said water works, without permission from the said corporation, or for any person having charge or control of any hydrant or water pipe connected with said water works to allow or permit any other person to take, draw or use water from the same without permission from the said corporation, or for any person, by false key or otherwise, after the water shall have been shut off from any premises by said corporation, to cause or suffer the said premises to be again supplied with water from said water cocks without permission from the said corporation.

Interference with water a misdemeanor.

Use of its water by others.

Right of condemnation.

SEC. 4. The said corporation shall have the right to condemn such property, rights of way or water sources as may be necessary to enable said company, or the corporations organized by it, or with its assistance, to successfully construct, erect and operate the said dams, railroads, railways, tramways, electric works, water works, telephone lines, on payment to the owner or owners thereof of just compensation, such property, rights of way or water courses to be condemned, and such compensation to be

Compensation.

determined, in the manner now provided by law for the condemnation of lands and rights of way by railroad corporations.

How determined.

SEC. 5. The said corporation shall have authority to exercise and enjoy any and all of the purposes, powers and franchises herein conferred, either individually or by assisting other persons or corporations in the exercise of such or like purposes, powers and franchises, in such manner as said corporation may deem desirable.

How to be enjoyed.

Capital stock.

SEC. 6. The parties aforesaid shall have power to raise by subscription a capital for the said corporation of five hundred thousand dollars ($500,000), in five thousand (5,000) shares of one hundred dollars each: *Provided, however,* That a majority of the Board of Directors of the said corporation shall have the power from time to time, and as occasion may require, to increase the said capital stock to any extent not exceeding five million ($5,000,000) dollars, whenever they deem proper so to do; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock.

Increase.

Liability of stockholders.

SEC. 7. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided,* That such demand shall have been payable within one year: *Provided, also,* That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remained a stockholder therein, or within one year after he shall have ceased to be such stockholder: *Provided, further,* That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

Provisoes.

Trustees, &c.

Voting by stockholders.

SEC. 8. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Proxies.

Personal property.

SEC. 9. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have

A. D. 1892.

Shares.

authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto.

Sale of liquors prohibited.

SEC. 10. For the protection of the said corporation, no person or persons shall be allowed to sell, or offer for sale, any spirituous or malt liquors within five miles thereof, and any violation of this Section of this Act shall be deemed a misdemeanor, and any one upon conviction thereof in a Court of competent jurisdiction shall be punished by a fine of not more than one hundred dollars, or imprisonment in the County jail for not more than six months, or both, for each and every offense, at the discretion of the Court.

Penalty.

Powers of amalgamation.

SEC. 11. (1) The said corporation is further authorized and empowered to consolidate and amalgamate itself with any other corporation or corporations created by this or any other State by a two-thirds vote of the stockholders of each of such corporations and form one general company, under such name and style as may be agreed upon, and to issue and apportion the stock of such consolidated corporations, as may be agreed upon by said two-thirds of the stockholders in each of said corporations, and to take up, if deemed proper and best, the individual stock of each company and to replace it with stock of the general company, in such manner and amounts as may be agreed upon by said two-thirds of stockholders: *Provided*, That such amalgamated company shall keep an office in the State of South Carolina, and thereupon such general company shall be invested with all the powers and franchises theretofore belonging to each and all of the several corporations so consolidating or amalgamating: *Provided, further*, That the rights and remedies of creditors shall not be affected by such consolidation.

Office of amalgamated company.

Proviso.

Governor to appoint Constable.

SEC. 12. The Governor of this State is hereby authorized and expowered to appoint some fit and proper person as Constable, who shall reside at the principal place of business of the said corporation, and who shall, before entering upon the duties of his office, take the oaths prescribed in Section 865 of the General Statutes of this State. The Constable so appointed shall have jurisdiction in the Counties of Chester and Lancaster to the limit of five miles in each and every direction from the main factory building of the said corporation, and shall have all the powers and duties prescribed in Section 872 of the General

Oaths.

Jurisdiction.

Powers.

(1) This Section is repealed by the next succeeding Act, No. 140.—Editor.

Statutes aforesaid. In any arrest made by the said Constable, he shall carry the party or parties so arrested before the nearest Trial Justice in and for the County in which such arrest is made. A. D. 1892. Person arrested.

SEC. 13. This Act shall be deemed and taken as a public Act, and shall go into effect from and immediately upon the date of its approval. Public Act. When to take effect.

Approved December 14th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE INDIANOLA MANUFACTURING AND POWER COMPANY," APPROVED DECEMBER 13, 1892. No. 140.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Indianola Manufacturing and Power Company," approved December 13, 1892, be, and the same is hereby, amended by striking out the eleventh Section thereof. Repeal of § 7 of Act No. 139, ante p. 218.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND THE CHARTER OF TOWN OF FORT LAWN, SO AS TO REQUIRE THE COUNTY COMMISSIONERS OF CHESTER COUNTY TO ORDER AN ELECTION FOR INTENDANT AND WARDENS OF SAID TOWN ON THE FIRST TUESDAY IN FEBRUARY, A. D. 1893. No. 141.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the town of Fort Lawn, in Chester County," be amended by striking out in second line of said Section the figures "1891," and inserting in lieu thereof the figures "1893," and by adding at the end of A. A. 1890, § 4 20 Stat., 841 amended.

A. D. 1892.

said Section the following: The County Commissioners of Chester County shall order said first election for Intendant and Warden on the first Tuesday of February, A. D. 1893, and appoint three managers residing in said town to conduct said election, and they shall give ten days' previous notice of said election by posting the same in three public places in said town. So that said Section when amended shall read as follows:

Time of first election.

SECTION 4. That the first election under this charter shall be held on the first Tuesday of February, A. D. 1893, and annually thereafter on the first Tuesday of February. The County Com-

How ordered and conducted.

missioners of Chester County shall order said first election for Intendant and Wardens on the first Tuesday of February, A. D. 1893, and appoint three managers residing in said town to conduct said election, and they shall give ten days' previous notice of said election by posting the same in three public places in said town.

Approved December 24th, A. D. 1892.

No. 142. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF CHESTERFIELD COUNTY TO ISSUE BONDS TO AID THE SOUTH AND NORTH CAROLINA RAILROAD COMPANY IN EXTENDING THE LINE OF ITS RAILWAY INTO OR THROUGH SAID COUNTY, AND FOR OTHER PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Purposes.

for the purpose of inducing the South and North Carolina Railroad Company to extend the line of its railway into or through the Western portion of Chesterfield County, and for the purpose of aiding in the construction and completion of said railroad in said County, as aforesaid, it shall and may be lawful for the

Donation by County Commissioners authorized.

County Commissioners of Chesterfield County to donate to said company the sum of seventeen hundred dollars per mile for each and every mile of main line of said road (exclusive of all branch lines) completed in said County upon the conditions, qualifications and in the manner hereinafter directed; and in order to

Issue of bonds.

make such donation to issue bonds of said County, which dona-

A. D. 1892.

tion shall be made in six per cent. coupon bonds of said County of the denomination of one hundred dollars each.

Election.

SEC. 2. That upon and after the passage of this Act it shall be the duty of the County Commissioners of said County, whenever requested to do so by one hundred freeholders of said County, to submit to the qualified electors of said County the question of "Donation" or "No Donation" to said railroad company as aforesaid, and for that purpose to order an election specifying the time, place and purpose of the election, and to cause such election to be held in said County, and to appoint three managers of the election at each election precinct in said County, as the case may be, who shall, without compensation, hold and conduct such election in the same manner as State and County elections are held and conducted, except that registration shall not be required as a qualification for voting at such election. The said County Commissioners shall, by resolution of their Board, give notice for three weeks next previous to the election in one or more newspapers published in the said County of the time and place of the election, the amount proposed to be donated and the conditions upon which such donation is proposed to be made under and in accordance with the provisions of this Act. At said election those in favor of said donation shall deposit a ballot on which shall be written or printed the words "Donation," and those opposed shall deposit a ballot on which shall be written or printed the words "No Donation."

Question submitted.

Managers.

How conducted.

No registration.

Notice to be given.

Form of ballots.

Declaration of result.

SEC. 3. It shall be the duty of the managers conducting the election to count the votes and declare the result as in other elections, which result at their respective precincts they shall within three days after said election certify in writing under their hands to the Board of County Commissioners, who shall forthwith collate the same and declare the result.

Certificate of result.

SEC. 4. In case the majority of the ballots cast shall have written or printed thereon the words "donation," then the Chairman of said Board of County Commissioners shall deliver to the authorities of said railroad company his certificate setting forth the fact, and such donation shall be made, and in payment of such donation said Board of County Commissioners shall be authorized and required to issue, and to deliver to the said railroad company, the sum of seventeen hundred dollars, in six per cent. coupon bonds of the County of Chesterfield, as aforesaid, with interest, payable annually, (on the first day of January, until said bonds be fully paid,) for each and every mile of main line of

Donation ordered.

To be paid in bonds.

A. D. 1892.

said railroad which may be built in the County as aforesaid, as the same is fully built and railed with iron or steel rails and open to the public for transportation. The first issue of said bonds shall be made payable thirty years after the first day of January next after the year in which they are issued; and each subsequent issue of such bonds shall be made to mature on the same day as the first issue. All of the said bonds, and the coupons thereon, shall be signed by the Chairman of the said Board of County Commissioners. Said bonds shall be in denominations of $100, shall be coupon bonds, bear interest at the rate of six per cent. per annum, interest payable on the first day of January in each year by the Treasurer of said County.

When payable.

How signed.

Description of bonds.

Annual tax levy to pay interest.

SEC. 5. That to provide for the payment of interest on said bonds, the County Auditor, or other officer in said County discharging the duty of assessing taxes in said County, shall be authorized and required to assess and levy annually upon the taxable property of said County, in addition to the other taxes, such a per centum of tax as may be necessary to pay the interest on such of said bonds as have not been brought in as below provided for, which shall be collected by the Treasurer, under the same regulations as are provided for the collection of State and County taxes, and which shall be paid over by said Treasurer to the holders of said bonds as the said interest shall become due upon the presentation of the coupons which are due, and he shall cancel such coupons so paid, and turn them over so cancelled to the County Commissioners. That to provide for the redemption of said bonds at their maturity, money to redeem said bonds at their maturity shall be commenced to be raised by taxation, as below provided, in the tenth year previous to the maturity of said bonds; that during said tenth year and annually for eight years thereafter the County Auditor, or other officer in said County discharging the duty of assessing taxes in said County, shall be authorized and required to assess and levy annually upon the taxable property in said County, in addition to the other taxes, such a per centum of tax as will be sufficient to pay one-tenth of the principal of the bonds issued. The taxes so assessed and levied shall be collected by said County Treasurer under the same regulations as are provided for the collection of State and County taxes, and shall be used by said Treasurer in buying in so many of said bonds as the funds so collected will enable him to do: *Provided*, That none of said bonds shall be bought in at a price greater than the par value thereof, (the bonds so bought in to be

Collection of tax.

Disbursement of tax.

Cancellation of coupons.

Tax to raise sinking fund.

Annual tax levy

Collection of tax.

Purchase of bonds.

Proviso.

cancelled and turned over to the County Commissioners): *And provided, further*, That the said County Treasurer shall, if so instructed by the majority of the County Commissioners, invest in bonds of the State of South Carolina so much of the fund so collected which shall remain on hand three months after so collected—the bonds of the State of South Carolina so bought to constitute a sinking fund to be used in redeeming said County bonds at their maturity; the income received from such investment in State bonds to be used in manner above provided for the use of the funds collected by taxation for the payment of principal of said bonds. That in the tenth year after such commencement the County Auditor or other officer in said County discharging the duty of assessing taxes in said County shall be authorized and required to assess and levy upon the taxable property in said County, in the same manner as directed in providing for the payment of the interest, in addition to the other taxes, such a per centum of tax as will be sufficient with the aid of the funds theretofore collected for that purpose, and of the State bonds and coupons on hand, to redeem said County bonds in full at their maturity.

Purchase of State bonds.

Use of income.

Provision for final redemption

SEC. 6. That if any of the funds as above provided shall remain in the hands of said Treasurer after all said County bonds shall have been redeemed, then and in that event the funds so remaining shall be disposed of in such manner as said County Commissioners may direct.

Use of surplus.

SEC. 7. The taxes herein provided for shall be known and styled in the Tax Books as South and North Carolina Railroad Tax. That for the proper collection and disposition of the funds herein provided for, the said County Treasurer and the sureties upon his bond shall be liable to the same penalties and be subject to the same remedies as are now prescribed by law for the faithful collecting and paying over of the State and County taxes.

Name of tax.

Liability of Treasurer.

SEC. 8. That this Act and all proceedings had under and by reason of its provision shall cease and be null and void if said company fails to enter the said County with its railroad as aforesaid within three years from this date, and no aid provided for herein shall be extended or given to said railroad company for such part of said road in said County which may not be completed within eight years from the approval of this Act.

Limitations.

Approved December 22nd, A. D. 1892.

NOTE.—For Act authorizing County Commissioners of Chesterfield to use surplus funds, see Act No 91, ante p. 157.

A. D. 1892.

No. 143.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO EXTEND TO THE COUNTY OF CLARENDON ALL THE PROVISIONS OF AN ACT ENTITLED 'AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTIES OF ABBEVILLE, AIKEN, SUMTER, YORK, EDGEFIELD, BERKELEY, KERSHAW, RICHLAND, ORANGEBURG, CHARLESTON, CHESTER AND UNION,' APPROVED DECEMBER 19, A. D. 1887," APPROVED DECEMBER 24TH, A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1890, § 1, 20 Stat., 843, amended.

Section 1 of an Act entitled "An Act to extend to the County of Clarendon all the provisions of an Act entitled 'An Act to regulate the traffic in seed cotton in the Counties of Abbeville, Aiken, Sumter, York, Edgefield, Berkeley, Kershaw, Richland, Orangeburg, Charleston, Chester and Union,' approved December 19, A. D. 1887," approved December 24th, A. D. 1890, be, and the same is hereby, amended by striking out the word "three" between the words "be" and "hundred" where it occurs on the last line of said Section and inserting in lieu thereof the word "one," so that said Section when so amended shall read as follows:

Extension to County of Clarendon.

19 Stat., 795.

SECTION 1. That all the provisions of an Act entitled "An Act to regulate the traffic in seed cotton in the Counties of Abbeville, Aiken, Sumter, York, Edgefield, Berkeley, Kershaw, Richland, Orangeburg, Charleston, Chester and Union," approved December 19, 1887, be, and the same are hereby, extended to and made operative in the County of Clarendon, in which County the

License fee.

license fee shall be one hundred dollars per annum.

Approved December 24th, A. D. 1892.

No. 144.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN CLARENDON COUNTY, AND TO AUTHORIZE THE ISSUE OF BONDS BY SAID SCHOOL DISTRICT AND THE LEVY OF A LOCAL TAX THEREIN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1892.

an Act entitled "An Act to provide for the establishment of a new school district in Clarendon County, and to authorize the issue of bonds by said school district and the levy of a local tax therein," approved December 24th, A. D. 1891, be, and the same is hereby, repealed.

A. A. 1891, 20 Stat., 1330, repealed.

Approved December 20th, A. D. 1892.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN CLARENDON COUNTY, AND TO AUTHORIZE THE ISSUE OF BONDS BY SAID SCHOOL DISTRICT AND THE LEVY OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24TH, A. D. 1891, AND TO PROVIDE FOR THE APPORTIONMENT OF THE SCHOOL FUND TO THE TERRITORY COVERED BY SAID ACT ON THE BASIS OF THE AVERAGE ATTENDANCE FOR THE YEAR PREVIOUS TO THE PASSAGE OF SAID ACT.

No. 145.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the establishment of a new school district in Clarendon County, and to authorize the issue of bonds by said school district and the levy of a local tax therein," approved December 24th, A. D. 1891, be, and the said Act is hereby, repealed, and the School Commissioner of Clarendon County is hereby authorized and required to apportion to the school territory covered by said Act its share of the school funds from present taxes and polls collected this year, A. D. 1892–3, on the basis of the average attendance of pupils in said territory the year previous to the passage of said Act.

A. A. 1891, 20 Stat., 1330, repealed.

Apportionment of its school fund.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 22nd, A. D. 1892.

NOTE.—For Act authorizing the County Commissioners of Clarendon to use surplus funds, see Act No. 91, ante p. 157.

For Act relating to the County Commissioners of Clarendon, see Act No. 106, ante p. 174.

A. D. 1892.

No. 146.

AN ACT TO PROHIBIT THE COUNTY COMMISSIONERS OF COLLETON COUNTY FROM INCURRING ANY LIABILITY ON BEHALF OF SUCH COUNTY FOR ROADS AND BRIDGES GREATER THAN THE AMOUNT OF THE APPROPRIATION MADE THEREFOR.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall not be lawful for the County Commissioners of Colleton County to incur any debt in behalf of said County for roads and bridges in excess of the amount which may be expected to be raised by the levy imposed by the appropriation Act upon the taxable property as appears by the books of the County Auditor. The excess above referred to shall apply to the specific funds provided for in each appropriation Act: *Provided*, That should said funds be exhausted and a special emergency requiring expenditure under such fund arise, the said County Commissioners, the existence of such emergency first having been concurred in by the Grand Jury of said County and evidenced by an entry to that effect upon the minutes of said Board, shall have the power to incur an additional debt, not exceeding a sum to be fixed by the Grand Jury of said County, or a majority of them, and from and after the concurrence of the Grand Jury, evidenced as aforesaid, all claims proven against the said fund shall be valid up to the amount allowed by such Grand Jury.

Debt for roads limited.

Special emergencies.

Additional debt.

Action of Grand Jury.

Forfeiture.

SEC. 2. The penalty for the violation of this Statute by the County Commissioners shall be a forfeiture of one-half of their per diem and mileage, which shall go to the ordinary County expenses.

Repealing clause.

SEC. 3. All Acts and parts of Acts inconsistent herewith be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 147. AN ACT TO EXEMPT SAINT PAUL'S PARISH, IN COLLETON COUNTY, FROM THE PROVISIONS OF CHAPTER XXVII OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

General Assembly, and by the authority of the same, That all that portion of Colleton County formerly known as Saint Paul's Parish, and so delineated on the old plats of the State, be, and hereby is, exempted from the operations of the General Stock Law, as enacted in Chapter XXVII of the General Statutes: *Provided*, This Act shall not apply to that portion of said Parish lying below a line running from the upper line of Stephen Barnwell's plantation at or near Wilton Bluff, on Pon Pon River, to a point on Toogoodoo Creek at or near Toogoodoo Bridge and down said creek to where the same enters into the North Edisto River: *Provided, further*, That the citizens of the territory exempted under the provisions of this Act shall build a fence from the said point on Pon Pon River to the said point on Toogoodoo Creek, separating the portion above described from the portion exempted under the provisions of this Act, and construct a proper gate at said Toogoodoo Bridge to prevent the passage of animals. Said fence to be kept up to the heighth of four and one-half ($4\frac{1}{2}$) feet.

Exempted area.

Excepted Section.

Line of fence.

Rights of condemnation.

SEC. 2. That upon the refusal of the land owners on the line described in Section 1 hereof to give or allow the said fence to be constructed through or upon their land, then the citizens of the territory to be exempted shall have the right to proceed according to law to condemn said right of way and sufficient timber upon the said line to build, maintain and keep said fence in good repair, and upon the failure to keep up the said fence this Act shall be void and of no effect.

Stock to run at large.

SEC. 3. That from and after the passage of this Act all the residents within the section of country hereinbefore described may allow their stock to run at large, and all the fences for the protection of crops built within such section shall be close and strong enough to prevent roaming hogs from passing through, and at least five feet high, in order to allow the citizen erecting such fence the privilege of impounding.

Character of fences.

When to take effect.

SEC. 4. This Act shall take effect immediately after the construction of the fence required by Section 1 hereof.

Repealing clause.

SEC. 5. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved December 20th, A. D. 1892.

A. D. 1892.

No. 148.

AN ACT TO REGULATE THE SEINING FOR AND CATCHING OF SHAD IN THE WATERS OF THE COMBAHEE RIVER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be lawful for any citizen of this State to seine for and catch shad in the waters of the Combahee River for and during five nights of each week, commencing on Monday night and ending with Friday night, both inclusive. The nights herein mentioned to be reckoned and taken to mean from the setting to the rising of the sun.

Lawful nights.

Definition.

Unlawful nights.

SEC. 2. That it shall be unlawful for any person to seine for or catch shad in said waters at any other times than those hereinbefore provided.

Repealing clause.

SEC. 3. That all Acts inconsistent with this Act are hereby repealed.

Approved December 20th, A. D. 1892.

No. 149. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE APPROVAL AND PAYMENT OF CERTAIN SCHOOL CLAIMS IN THE COUNTY OF COLLETON.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County School Commissioner of the County of Colleton be, and he hereby is, directed to approve the following school claims in the following amounts, to wit: Miss Lillie Utsey, the sum of thirty dollars; J. E. Patrick, the sum of twenty dollars; J. M. Martin, the sum of fifty dollars; Jno. Crawford, the sum of fifty dollars; Wm. Allen, the sum of nine dollars and forty-one cents; C. M. Legare, the sum of fourteen dollars and five cents; R. L. DuBois, the sum of six dollars and forty cents; and thereupon the County Treasurer of said County shall pay said amounts to said parties out of the school fund appropriated to the respective school districts to which said amounts are chargeable.

School claims to be approved.

And paid.

Approved December 24th, A. D. 1892.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL TRIAL JUSTICE FOR COLLETON COUNTY. A. D. 1892. No. 150.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, one additional Trial Justice shall be appointed by the Governor, by and with the consent of the Senate, for the County of Colleton, who shall serve without salary or other compensation, and who shall reside at Osborne in said County, with jurisdiction confined within one quarter of a mile in all directions of depot at Osborne. Additional Trial Justice. No compensation. Jurisdiction.

Approved December 22nd, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF GROVER, IN COLLETON COUNTY. No. 151.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and this State who now are, or hereafter may be, inhabitants of the town of Grover, in Colleton County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Grover, and the limits shall extend one-half mile in every direction from the centre of the Walterboro road between the residences of W. D. Gaskins and J. W. C. Canady. Incorporation. Name and limits.

SEC. 2. Said town of Grover shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter. Public Act. Duration.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities Sale of liquors prohibited.

A. D. 1892.

of the town of Grover, in the County of Colleton; and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said town, is hereby prohibited; and any one violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the Court.

Penalties.

When to take effect.

SEC. 5. This Act shall take effect immediately upon its approval.

Approved December 20th, A. D. 1892.

No. 152. AN ACT TO INCORPORATE THE TOWN OF ROSSES, IN COLLETON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States and this State who are or hereafter may be inhabitants of the town of Rosses, in Colleton County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Rosses, and the limits shall extend one-half mile in every direction from where the public road crosses the South Carolina Railway.

Incorporation.

Name and limits.

Rights and limitations.

SEC. 2. Said town of Rosses shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1886.

19 Stat., 174.

Public Act.

Duration.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Sale of liquors prohibited.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Rosses, in the County of Colleton; and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the

corporate limits of said town, is hereby prohibited; and any one violating this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined or imprisoned in the discretion of the Court. A. D. 1893. Penalties.

SEC. 5. This Act shall take effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1892.

NOTE.—For Act fixing compensation of County Board of Equalization and Township Assessors in Colleton County, see Act No. 98, ante p. 167.
For Act relating to hunting, &c., in Colleton County, see Act No. 112, ante p. 179.
For Act relating to catching of terrapins in Colleton County, see Act No. 113, ante p. 180.
For Act relating to town of Summerville, see Act No. 115, ante p. 182.

AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTIES OF DARLINGTON, MARION AND MARLBORO. No. 153.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the traffic in seed cotton by purchase, barter or exchange in the Counties of Darlington, Marion and Marlboro within the periods hereinafter named, without license, is hereby prohibited. Traffic without license prohibited.

SEC. 2. That the Clerks of the Court of Common Pleas for the said Counties be, and are hereby, authorized and empowered respectively to issue licenses to traffic in seed cotton by purchase, barter or exchange within the period beginning the 15th of August and ending the 15th day of December of each year, to such person or persons as shall file with said Clerks respectively a written application therefor, for granting of which shall be recommended by at least ten land owners the immediate neighborhood where said applicant intends to do business. Such license shall specify the exact place whereat the said business shall be carried on and the period within which such traffic is permitted, and shall continue in force for a space of one year from the date of issue; and for such license, if granted, a fee of five hundred dollars shall be paid by the applicant to the County Treasurer of the County in question for the use of said County. Clerks of Court to issue license. Term. Application. Particulars of license. License fee.

SEC. 3. That any person who shall hereafter traffic in seed

A. D. 1892.

cotton by purchase, barter or exchange in any one of said Counties without having first obtained a license as above provided shall be guilty of a misdemeanor, and on conviction shall be punished for each offense by a fine not less than one hundred dollars or by imprisonment of not less than one year, or both by fine and imprisonment, within the discretion of the Court.

Penalty for traffic without license.

Entry of purchases.

SEC. 4. That any person to whom license to traffic in seed cotton in any of said Counties may be granted shall keep at said place of business a book in which shall be entered the date of every purchase, from whom purchased and the quantity purchased, which book shall always be open to inspection of persons applying therefor; and any person to whom a license is granted as herein provided failing to comply with the requirements of this Section shall, on conviction, be liable to penalties specified in Section 3.

Penalties.

Gen. Stat., § 2518, repealed.

SEC. 5. That nothing herein contained shall be construed to repeal or in any wise modify the provisions of Section 2518 of General Statutes, nor as prohibiting landlords purchasing seed cotton from their tenants and croppers.

Approved December 20th, A. D. 1892.

No. 154. A JOINT RESOLUTION TO ALLOW ADDITIONAL COMPENSATION TO J. F. GARNER, SUPERVISOR OF REGISTRATION, DARLINGTON COUNTY, FOR THE YEAR A. D. 1892.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General be authorized and required to draw a warrant on the State Treasurer, and the State Treasurer to pay the same, out of any funds not otherwise appropriated, to and in favor of J. F. Garner, Supervisor of Registration of Darlington County, for the sum of one hundred dollars, as additional compensation in the discharge of the onerous duties of that office for the year A. D. 1892.

Warrant to be drawn and paid

For $100.

Approved December 24th, A. D. 1892.

AN ACT TO AUTHORIZE THE CONSOLIDATION OF THE DARLINGTON GINNING, MILLING, FERTILIZER AND WAREHOUSE COMPANY AND THE DARLINGTON PHOSPHATE COMPANY UNDER THE NAME OF THE DARLINGTON PHOSPHATE COMPANY, AND TO CONFER UPON THE CONSOLIDATED COMPANY ALL OF THE FRANCHISES AND POWERS CONFERRED BY CHARTER UPON THE CONSOLIDATED COMPANIES.

A. D. 1892.
No. 155.

Preamble.

Whereas, The Darlington Ginning, Milling, Fertilizer and Warehouse Company and The Darlington Phosphate Company have agreed to consolidate the property, franchises and privileges owned and held by them, the consolidated company to be known as the Darlington Phosphate Company; now, therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Darlington Ginning, Milling, Fertilizer and Warehouse Company and the Darlington Phosphate Company be, and they are hereby, authorized to consolidate their property, franchises and privileges into one company under the name of the Darlington Phosphate Company; such consolidation to be effected by a deed of indenture executed by the Presidents and Secretaries of the two consolidating companies, declaring their intention to consolidate, and transferring to the said consolidated company all of the property, franchises, rights and privileges owned and held by each of them, respectively.

Consolidation authorized.

How effected.

SEC. 2. That upon such consolidation The Darlington Phosphate Company shall be vested with all the rights, franchises, powers and privileges conferred upon the consolidating companies by a charter granted by the Honorable Secretary of State to the Darlington, Ginning, Milling, Fertilizer and Warehouse Company, bearing date August 11th, 1888, and by a charter granted by the Honorable Secretary of State to The Darlington Phosphate Company, bearing date August 11th, 1891; and that said consolidated company be subject to all of the debts and liabilities of the two consolidating companies.

Rights and powers.

20 Stat., 266.

20 Stat., 1515.

Debts.

SEC. 3. That for the purpose of the consolidation herein authorized, The Darlington Phosphate Company shall be, and hereby is, authorized and empowered to increase its capital stock to one hundred thousand dollars, and to deliver thirty thousand dollars thereof to stockholders of The Darlington Ginning, Milling, Fertilizer and Warehouse Company upon the surrender of an equal

Increase of capital stock.

Distribution.

A. D. 1892.

amount of their holding in the said last named company for cancellation.

Organization.

SEC. 4. That upon the consummation or completion of the consolidation of the said companies, as provided for in this Act, the organization of the consolidated company shall be completed by the election of a Board of Directors from among the stockholders in the said consolidated company as may be agreed upon. The Board of Directors thus elected shall continue in office until the time now fixed for the annual meeting of the stockholders of The Darlington Phosphate Company, and until their successors shall be duly elected, and thereafter there shall be an annual meeting of the stockholders of the said consolidated company at which Directors shall be chosen whose term of office shall be as above provided.

Directors.

Term of office.

Annual meetings.

Duration.

SEC. 5. That the duration of the charter hereby granted shall be for the term of ninety-nine years, and until the final adjournment of the General Assembly next thereafter.

Public Act.

When to take effect.

SEC. 6. That this Act shall be taken and deemed as a public Act, and shall take effect immediately upon its approval.

Approved December 22nd, A. D. 1892.

No. 156. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO PAY THOMAS J. ADAMS THE SUM OF ONE HUNDRED AND TWENTY DOLLARS FOR RENT OF OFFICE USED BY THE MASTER OF SAID COUNTY THE YEARS OF 1890 AND 1891.

Recital.

Whereas Thomas J. Adams furnished an office for the Master of Edgefield County, and has been paid therefor by the County Commissioners of said County, except for the years 1890 and 1891, and there is now due for rent, as aforesaid, for the two years aforesaid the sum of one hundred and twenty dollars,

SECTION 1. *Be it resolved*, By the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield be, and are hereby, directed and required to draw their warrant upon the County Treasurer of said County, and the said Treasurer is directed and required to pay same out of any funds in his hands, for the sum

Warrant to be drawn and paid

of one hundred and twenty dollars in favor of Thomas J. Adams in payment of rent of office furnished the Master of said County. A. D. 1892. For $120.

Approved December 19th, A. D. 1892.

A JOINT RESOLUTION TO REQUIRE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO PAY RALPH SCURRY, JAMES C. WALKER, J. P. OUZTS, E. P. ARTHUR, JOHN WARE, YANCY OUZTS, JOSEPH REECE, M. D. CORLEY, H. C. BEE AND LUTHER REECE FOR SERVICES RENDERED IN GUARDING THE JAIL OF SAID COUNTY. No. 157.

Whereas the Sheriff of Edgefield was directed by the Governor to appoint a guard to protect certain prisoners confined in the jail of said County; and *whereas* said guard was appointed, and payment for their services was refused by the County Commissioners of said County: Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield County be, and they are hereby, authorized and directed to draw their warrants upon the County Treasurer of said County as follows, to wit, in favor of the following parties: Ralph Scurry for the sum of fifty-five dollars, James C. Walker for fifty-five dollars, J. P. Outzs for thirty-one dollars, E. P. Arthur for twenty-four dollars, John Ware for twenty-four dollars, Yancey Outzs for twenty-four dollars, Joseph Reece for fifteen dollars, M. D. Corley for fifteen dollars, H. C. Bee for fifteen dollars, and Luther Reece for twenty-two dollars, for services rendered in guarding prisoners in Edgefield jail. Warrants to be drawn. In whose favor. Services rendered.

SEC. 2. That the County Treasurer pay said warrants out of any funds in his hands. Payments.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 158.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY SCHOOL COMMISSIONER OF EDGEFIELD COUNTY TO APPROVE AND TO ORDER PAID, AND THE TREASURER TO PAY, A SCHOOL TEACHER'S PAY CERTIFICATE IN FAVOR OF MISS KATE LUTHER FOR $38.40.

Preamble.

Whereas the School Trustees of School District No. 6 of Edgefield County, on April 19th, 1892, gave to Miss Kate Luther an order on the County Treasurer of said County for thirty-eight dollars and forty cents, as the amount allowed her for teaching a public school in said district for the month commencing January 4th, 1892, and ending February 26th, 1892, which order the School Commissioner for said County has refused to approve and order paid, on the ground that the school funds for said district was exhausted for the then current year; now, therefore,

Claim to be approved and paid.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said School Commissioner be, and he is hereby, authorized and required to approve and to order the said order and school claim to be paid out of the school fund for said district now or hereafter in hands of the County Treasurer, and the County Treasurer of said County shall pay the same to Miss Kate Luther, the said teacher, accordingly.

Approved December 20th, A. D. 1892.

No. 159. AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF EDGEFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation.

from and after the passage of this Act all persons who are citizens of this State and who may have resided for sixty days (60) within the corporate limits of the town of Edgefield shall be deemed, and are hereby declared to be, a body politic and corporate, and

Name and limits.

be called the town of Edgefield, and its limits shall extend and form a circumference of a circle, whose radius shall be one mile, with the court house thereof for a centre.

Intendant and Wardens.

SEC. 2. That the mnuicipal powers of said town of Edgefield

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shall be, and they are hereby, vested in an Intendant and five (5) Wardens, who shall be persons Constitutionally qualified to vote for members of the General Assembly of this State and who shall have resident within the corporate limits of the said town for sixty (60) days preceding the election to said office.

Election.

Notice.

Term.

Electors.

Registration.

Place and hours.

Duty of Managers.

Oaths.

Refusal to serve

SEC. 3. That the election for the Intendant and Wardens of said town shall be held on the second Monday in April of every year, ten (10) days' notice being previously given, and the officers elected shall continue in office for term of one (1) year, and until the election and qualification of their successors, and all such persons within said town who shall have attained the age of twenty-one (21) years, and resided within the said town for sixty (60) days and in the State twelve months, immediately preceding the election shall be entitled to vote for said Intendant and Wardens of the said town; a registration of all voters of said town, as a prerequisite to voting at any election for Intendant and Wardens thereof, shall be required; and for this purpose full power is hereby vested in the Town Council of said town to prescribe the time, place, manner and terms of said registration of voters by an ordinance for that purpose; and the said election shall be held in some convenient place in said town from nine (9) o'clock in the morning to four (4) o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and declare the election, giving notice in writing to the persons elected. The Intendant and Wardens for the time being shall appoint the managers to conduct the election, who, before opening the polls of the said election, shall take an oath fairly and impartially to conduct the same; and the Intendant and Wardens, before entering upon the duties of these offices, shall respectively take and subscribe the oath prescribed by the Constitution and Statutes of this State, and the following oath, to wit: "As Intendant and Wardens of the town of Edgefield, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected, so help me God." And if any person upon being elected Intendant and Warden shall refuse to act as such, he shall forfeit and pay the said Town Council the sum of twenty dollars for the use of said town.

Ordinances.

SEC. 4. That said Intendant and Wardens are empowered to pass all ordinances, rules and regulations for the fair and just management of said election, and to prevent any fraudulent

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Punishments.

voting thereat, and to punish all offenses against the same by fine not exceeding twenty-five dollars or imprisonment not exceeding thirty (30) days.

Quorum.

Vacancy.

SEC. 5. That the Intendant and Wardens, or, in the absence of the Intendant, three Wardens, shall constitute a quorum for the transaction of business; and in case a vacancy shall occur in the office of Intendant or Wardens by death, resignation, removal, or for any other cause, an election to fill such vacancy shall be held by appointment of the Intendant and Warden or Wardens, as the case may be, which election shall be conducted in all respects and be subject to all the regulations hereinbefore provided for annual elections; and in case of sickness or temporary absence of Intendant, the Wardens shall be empowered to elect one of their number to act as Intendant for the time.

Intendant *pro tem.*

Trial of offenders.

SEC. 6. The said Intendant shall have power and authority to try all offenders against the ordinances of said town in an ordinary manner, without a jury, upon their apprehension or arrest, or as soon thereafter as possible, unless such persons enter into good and sufficient surety, to be approved by the said Intendant, or, in his absence or inability to serve, by the Clerk of the Town Council, to appear for trial within five days after such arrest, or at such other time as be agreed upon, or in which event the trial shall be deferred until that time. Whenever the said Intendant shall find a party tried before him guilty of violating an ordinance of the said town he shall have power to impose, in his discretion, fine or imprisonment, in the alternative, not to exceed the limits prescribed for such violations. From all decisions of the said Intendant any party in interest feeling himself aggrieved shall have the right of appeal to the Town Council: *Provided,* He gives notice of such appeal immediately upon the sentence being pronounced and enter security to appear and defend before the Town Council at any time, to be specified in such undertaking, not less than five nor more than ten days after date of such undertaking. In all cases of appeal to the Town Council, the Intendant shall preside, or some Warden as hereinbefore provided, and the Wardens shall sit as a jury to try the facts involved, and may also reverse, modify or affirm any or all of the rulings of the Intendant in the first trial before the Intendant or Town Council. The party charged shall first be served with the summons, citing him to such trial, in which shall be stated with reasonable accuracy the nature of the charge and the time and place of its alleged commission: *Provided, further,* That the defendant

Recognizances.

Fine or imprisonment.

Appeals.

Hearing of appeals.

Summons to accused.

A. D. 1892.

shall have the same right of appeal to the Circuit Court as is now allowed by law to all parties appealing from a Trial Justice Court. Right of appeal.

SEC. 7. The Intendant shall have authority to summons the Wardens to meet in Council for the transaction of business pertaining to the corporation whenever in his judgment it may be necessary. They and their successors hereafter to be elected shall have and keep a common seal, which shall be affixed to all ordinances passed by them; they may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and may purchase, hold and possess, and enjoy, for the trusts herein contained, by them and their successors, in perpetuity or for a term of years, any estate, either real, personal or mixed, and sell, alien and convey the same at will: *Provided*, The same does not at any one time exceed in value the sum of fifty thousand dollars; and the said Town Council shall have full power to make, ordain or establish all such rules, by-laws, regulations or ordinances respecting the roads, streets, markets, police, health and order of said town as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for the preserving of the health, peace, order and good government within the same; and the said Town Council may fix and impose fines and penalties for the violation of the same not to exceed the sum of one hundred dollars and imprisonment for thirty days, and appropriate all revenues arising therefrom to the use of said corporation: *Provided*, Such ordinances, rules, by-laws and regulations be not contrary to the laws of this State. Council meetings. Powers. Property rights. Limit. Ordinances. Fines and penalties.

SEC. 8. The said Intendant or Warden may sentence persons convicted of violation of any of the ordinances of said town to fine or imprisonment, in the alternative, as may be provided, and any person sentenced to imprisonment directly or in consequence of failure to pay the fine imposed shall during their term of imprisonment be required to work upon the streets of said town, unless they be expressly exempted therefrom in the sentence pronounced by the Mayor. Labor on streets

SEC. 9. That the Intendant and Wardens shall have full and only power to grant or refuse licenses to keep taverns or retail spirituous liquors within the corporate limits of said city upon such conditions and under such regulations as to them shall seem right and proper: *Provided*, That in no instance shall the price of a license to keep a tavern or retail spirituous liquors be fixed at a less sum than is established by the laws of this State, and Liquor licenses. License fee.

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all moneys paid for licenses and for fines and forfeitures for retailing spirituous liquors, keeping taverns and billiard tables within the said limits shall be appropriated to the public uses of said town.

Appropriation.

Streets.

SEC. 10. That it shall be the duty of the Intendant and Wardens to keep all roads, streets and ways within their corporate limits open and in good repair. They shall have power to compound with all persons liable to work the streets, ways and roads in said town upon such terms as they by ordinance shall establish, the money so received to be applied to the public use of said town. All persons failing or refusing to pay such commutation shall be liable to such fine, not exceeding twenty dollars, or imprisonment, not exceeding ten days, as the Town Council may impose.

Street commutation tax.

Penalty.

Auction sales.

SEC. 11. The said Town Council shall have power to regulate sales at auction within the limits of said town and to grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by Sheriff, Clerk of Court, Judge of Probate, Coroner, executor or administrator, assignee in bankruptcy, or by any out of the order, decree of any Court, Trial Justice or other inferior Court.

Exceptions.

Shows.

SEC. 12. The said Town Council shall have the right to regulate the price of licenses upon all public shows and exhibitions in the said town; to erect a powder magazine and compel any person or persons holding more than twenty-five pounds of powder to store the same therein, and to make regulations for the rate of storage thereof, and for keeping and delivering the same, and to provide a penalty for the said regulation.

Powder magazine.

Other licenses.

SEC. 13. That the said Town Council shall have full power to grant or refuse licenses to butchers, livery stables, drivers of public drays or vehicles, ten-pin alleys, or any other kind of game, exhibition or sport of skill of chance within the limits of said town, and the said Town Council shall appropriate the revenues derived from the sources related in this Section to the public use of said corporation, and shall have full power to regulate by ordinances the granting of the said licenses and the imposition of the said taxes and to prescribe penalties for the violation thereof.

Appropriation.

Fire limits.

SEC. 14. That the said Town Council shall have the power to prevent the erection of any wooden or frame building within such fire limits as they may see fit to prescribe.

SEC. 15. That the said Town Council shall have full authority

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to lay out and open new streets in the said town, to close up, widen or otherwise alter those now in use, or which hereafter may be established, whenever in their judgment the same may be necessary for the improvement or convenience of said city: *Provided*, That the owners of lands over which any road, street or way may pass, and any person damaged by the closing or from the altering of any such street, road or way, shall be duly compensated therefor by the Town Council; and whenever any road, street or way is to be laid out, closed, opened or widened, in case the said Town Council and the owner or the owners of the land over which the same shall pass, or the persons damaged by the closing or altering as aforesaid, cannot agree upon the amount of compensation to be paid to such owners or persons, the same shall be assessed by three commissioners, one by the Town Council, one by the land owner, or person damaged, and the third by the two commissioners thus appointed; and in case any land owner shall neglect or refuse to appoint a commissioner within ten days after notice so to do, then the Clerk of Court of Common Pleas of the County of Edgefield shall appoint a commissioner, who with the one appointed by the Town Council shall elect a third commissioner: *Provided*, That either party may appeal from such assessment to the Court of Common Pleas of said County by serving written notice of such appeal upon the other party within five days after such assessments shall have been made, when the issue of value be submitted to the jury.

Opening and changing of streets.

Compensation.

Assessment by Commissioners.

Appeals.

Nuisances.

Board of Health

Power over lot owners as to streets and sidewalks.

Enforcement of directions.

SEC. 16. That the said Town Council shall have power to abate all nuisances within their corporate limits, and also to appoint a Board of Health of said town, and to pass such ordinances as may be necessary to define the duties and powers of said Board, and to impose fines and penalties upon the members of said Board for neglect of duty or refusal to serve: *Provided*, That no fine hereby authorized to be imposed shall exceed the sum of twenty dollars. That the said Town Council of Edgefield shall have power and authority to require the owner or owners of any lot or lots in said town to keep the streets in front lot or lots clean of all filth or rubbish, and also to make and keep in good repair sidewalks in front of said lot or lots when the same shall front on or adjoin any of the public streets of the said town, if in the judgment of the said Town Council such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the said Town Council; and for default on the part of such owner or owners to keep in repair

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such sidewalks whenever required the said Town Council may cause the said streets to be cleaned or such sidewalks to be made and kept in repair and require such owner or owners to pay the cost and expense thereof: *Provided, however,* That contracts for cleaning the said streets or making and putting in repair such sidewalks shall be let to the lowest bidder.

Contract to be let.

Buildings.

SEC. 17. That the said Town Council of Edgefield, in addition to the power heretofore granted them, shall have authority so to control the erection of all building and improvements in said town as to conduce to the public safety and security of the said town and the inhabitants thereof.

Police.

SEC. 18. That the said Town Council shall have power, and are hereby authorized, to elect one Chief of Police and as many assistants as may be necessary, (in addition to the Sheriff of Edgefield County, who shall be *ex officio* a policeman of said town,) to fix their salaries and prescribe their duties. They shall be sworn in and vested with all power now conferred by law upon Constables and subjected to all the duties and liabilities that are now or hereafter may be conferred upon Constables, in addition to the special duties devolved upon them by the said Town Council: *Provided,* That their jurisdiction shall not extend beyond the limits of the said corporation.

Powers and liabilities.

Jurisdiction.

Guard House.

SEC. 19. That the said Town Council shall have power to establish a guard house and prescribe by ordinance suitable rules and regulations for governing the same; and the said Town Council may, by ordinance, and the Intendant or Wardens in person, or any one or more of them, may, authorize and require any policeman of said town to arrest and commit to said guard house or jail of Edgefield County for a term not exceeding twenty-four hours, Sunday excepted, before trial any person or persons within the said corporate limits who may be engaged in a breach of peace, any riotous or disorderly conduct, open obscenity, public drukenness, or in any conduct grossly indecent; and it shall be the duty of the policeman of said town to arrest and commit all such offenders, when required by said ordinances, or any member of the Town Council, and they shall have power to call to their assistance the *posse comitatus,* if need be, in making such arrest, and upon failure of such policeman to perform their duty as required they shall severally be liable to such fines and penalties as said Town Council may establish, and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment: *Provided,* That the imprisonment provided for in this Section

Arrest and commitment.

Duty of police.

Posse comitatus.

Fines and penalties.

Proviso.

shall not exempt the party so imprisoned from trial and sentence as hereinbefore provided. A. D. 1892.

Witnesses.

SEC. 20. That the town of Edgefield, South Carolina, be authorized and empowered to require by summons, oral or written, the presence of any person that may be wanted as a witness in any case in which the said town is interested, whether such witness be within the town limits or not; and should such witness fail to appear as required, he or she shall be liable to a penalty not exceeding fifty dollars or thirty days' imprisonment in the town guard house or the County jail.

Penalty for non-attendance

Arrest on sight.

SEC. 21. Nothing herein contained shall prevent the arrest of any person committing a breach of the peace, or an offense against public decency, or any violation of any ordinance of said town, without a warrant.

Exemption of members of Council.

SEC. 22. That the Intendant and Wardens shall each be exempt from street duty during their term of office, and each Town Council shall, within thirty days after the expiration of their term of office, make out and return to their successors a full account of their receipts and expenditures during the term for which they were elected; and they shall likewise publish at the end of each year a statement of their receipts and expenditures during their term, and at the expiration of their term office it shall be their duty to pay over to their successors any moneys in their hands, at the time of making such return, belonging to said corporation, and likewise to deliver up promptly at the end of their term all books, property, records and other papers incident to their said offices to their successors.

Account to successors.

Annual report.

Surrender to successors.

Taxation.

SEC. 23. That the said Town Council shall have power to impose an annual tax not exceeding five mills on all real estate lying within the corporate limits, and on personal property owned and held within the same, including bonds and stocks of banks, insurance companies and other corporations, the real estate of churches and school associations from which such churches and school associations derive a revenue or which are intended to be rented out for such purpose; and for that purpose they shall appoint three freeholders residing therein to assess the value of such estate upon oath and return the assessment within one month to the said Council for taxation; and the said Council shall have power to fill any vacancy arising from any cause on the said Board of Assessors, and all persons, companies or corporations liable to taxation shall make payment of their taxes upon property to the Clerk or Treasurer of said Town Council, or to such

Assessors.

Returns.

A. D. 1892.

Appropriation of revenue.

Penalties.

Execution.

How issued.

Lien for taxes.

other person as may be authorized to receive them, and the money so raised shall be applied to the public use of the said town. Upon failure to make such payments as required the party or parties so in default shall be subject to the penalties, remedies provided or hereafter shall be provided by law for the failure to pay the general County tax, to be enforced in like manner by the said Town Council, by execution for the use of the said town, such execution to enforce the payment of such taxes to be issued under the seal of the corporation, signed by the Clerk and directed to the Sheriff of Edgefield County, or to the Marshal of said town, or other person appointed by the said Council to levy, collect and receive the same, with costs in such cases as made by law. And all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall first be paid.

When to take effect.

Ordinances confirmed.

SEC. 24. This Act shall go into effect immediately upon its approval, and all ordinances heretofore passed by the Town Council of Edgefield under the existing laws be, and they are hereby, declared to be of full force and effect in the said town of Edgefield until repealed, modified or otherwise changed by the Town Council.

Repealing clause.

Public Act.

Duration.

SEC. 25. That all Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed, and this Act shall be deemed and taken to be a public Act, and continue in force until amended, altered or repealed.

Approved December 24th, A. D. 1892.

No. 160. AN ACT TO AMEND ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF MODOC, IN THE COUNTY OF EDGEFIELD," APPROVED DECEMBER 15TH, A. D. 1885.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Modoc, in the County of Edgefield," approved December 15th, A. D. 1885, be, and the same is hereby, amended by adding the following, to be known as Section 5 and Section 6 :

A. A. 1885, 19 Stat., 17, amended.

Sections added.

SECTION 5. No license for the sale of spirituous or intoxicating liquors, wines, or malt liquors, shall be granted by the Town Council of Modoc. Liquor licenses prohibited.

SECTION 6. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed. Repealing clause.

Approved December 20th, A. D. 1892.

AN ACT TO ESTABLISH AND CHARTER A FERRY ACROSS THE SAVANNAH RIVER, IN EDGEFIELD COUNTY, TO BE KNOWN AS TUCKER'S FERRY. No. 161.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and the same is hereby, chartered to reach and extend across the Savannah River at a point in Edgefield County where the public road leads from the town of Modoc, in Edgefield County, to said river at a point known as the old Gilchrist Ferry, and to be known in future as Tucker's Ferry. That the said ferry be, and the same is hereby, vested in H. B. Tucker, his heirs and assigns, for the term of twenty-five years, and that the following rates of toll be charged, and no more: For a buggy with one horse, thirty-five cents each way; buggy with two horses, sixty cents each way; carriage with two horses, seventy-five cents each way; wagon with two horses, seventy-five cents each way; wagon with four horses, one dollar each way; sulky with one horse, twenty-five cents each way; ox cart with two oxen, thirty cents each way; ox cart with one ox, twenty cents each way; man and horse, ten cents each way; led horses, five cents per head; cattle, sheep and swine, five cents per head; cart and horse or mule, twenty-five cents each way: *Provided*, Children going to and returning from school shall pass free of charge. Ferry chartered. Location. Vested. Rates of toll. Exemptions.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to Union School District in Edgefield, see Act No. 88, ante 149.

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No. 162.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER A FERRY IN FAIRFIELD AND LANCASTER COUNTIES AT A POINT FORMERLY KNOWN AS 'PEAY'S FERRY,'" BY SUBSTITUTING KERSHAW FOR LANCASTER COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1889, 81, 20 Stat., 516, amended.

Section one (1) of an Act entitled "An Act to charter a ferry in Fairfield and Lancaster Counties at a point formerly known as 'Peay's Ferry,'" approved December 23d, 1889, be, and the same is hereby, amended by striking out the word "Lancaster" wherever the same occurs in said Section and substituting in lieu thereof the word "Kershaw." So that the Section shall, as amended, read as follows:

Kershaw substituted for Lancaster.

Chartered.

Location.

SECTION 1. That a public ferry be, and the same is hereby, established and chartered to reach across the Wateree River, in Fairfield and Kershaw Counties, at a point formerly known as "Peay's Ferry," on the Kershaw side, to a point on the Fairfield side just opposite, and that said ferry be vested in the County Commissioners for Fairfield and Kershaw Counties, their successors in office, for the term of twenty years, and that the following rate of toll be charged and collected, and no more, viz.: For every four-horse wagon, 50 cents; for every two-horse wagon or vehicle, 30 cents; for every one-horse wagon or vehicle, 20 cents; for every single horse and rider, 10 cents; for every foot passenger, 5 cents: *Provided*, That children going to and returning from school, voters going to and returning from elections, militia going to and returning from muster, and clergymen, be passed free of toll: *Provided, further*, That the owners of land on either side of the river upon which the ferry boats land be, and they are hereby, authorized to erect a gate or gates across the road leading to such ferry, through which all persons may pass at all times without payment of toll or other charges therefor.

Vested in County Commissioners.

Term.

Tolls.

Exemptions.

Gates on roads.

When to take effect.

SEC. 2. That this Act go into effect immediately from its approval.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTY OF FLORENCE," APPROVED 22ND DECEMBER, A. D. 1891, BY ADDING TWO SECTIONS, TO BE KNOWN AS SECTION SIX AND SEVEN RESPECTIVELY.

A. D. 1892.

No. 163.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the traffic in seed cotton in the County of Florence," approved 22nd December, A. D. 1891, be, and the said Act is hereby, amended by adding thereto the following two Sections, to be known as Sections 6 and 7 respectively:

A. A. 1891, 20 Stat., 1857, amended.

Additional Sections.

SECTION 6. That when owners or managers of gins, stores or other establishments, or any other persons which handle cotton, shall take in seed cotton, giving to the party delivering the same any receipt, memorandum, order, draft, obligation, paper or verbal credit for the same which the party so delivering said seed cotton may or can use and negotiate without actually demanding or receiving the lint cotton in kind produced by the said seed cotton, the party so taking in said seed cotton shall be deemed as trafficking in seed cotton, and upon conviction, if not licensed under this Act, shall be deemed guilty of a misdemeanor and subject to the penalties prescribed in Section 3; and so shall every person be deemed, considered and punished upon conviction who shall in Florence County, directly or indirectly, purchase the lint cotton estimated to be produced by seed cotton, taking charge or control of the seed cotton, either to keep the seed for the ginning or on account, or to return or deliver the seed, and to keep and pay for the lint, directly or indirectly.

Warehouse receipts prohibited.

Penalty.

Purchase of lint on seed cotton prohibited.

SECTION 7. That the provisions of this Act shall not apply or be operative or binding from the 15th day of December to the 15th day of March of each year; that is to say, any person may traffic in seed cotton in the County of Florence, in the day time, without license, from the 15th day of December to the 15th day of March of each year.

Traffic permitted at a certain season.

Approved December 20th, A. D. 1892.

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No. 164. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF MARION COUNTY TO TURN OVER TO THE TREASURER OF FLORENCE COUNTY ALL BALANCES OF COMMUTATION ROAD FUNDS NOW IN HIS HANDS WHICH WERE COLLECTED FROM PERSONS LIABLE TO ROAD DUTY ON THE SECTIONS OF ROADS FORMERLY EMBRACED IN MARION COUNTY BUT NOW EMBRACED IN FLORENCE COUNTY, AND TO AUTHORIZE AND REQUIRE THE TREASURER OF FLORENCE COUNTY TO RECEIVE, APPORTION AND PAY OUT SAID FUNDS TO SAID ROAD SECTION.

Preamble. *Whereas* prior to the formation of the County of Florence certain funds were paid into the hands of the County Treasurer of Marion County in commutation of road work by persons then residing in Marion County but now residing in Florence County; and *whereas* said fund properly belongs to the County of Florence.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Road balances to be turned over. the County Treasurer of Marion County is hereby directed and required to turn over to the County Treasurer of Florence all balances of funds now in his hands which were collected from persons liable to road duty on the sections of roads formerly embraced in Marion County but now embraced in Florence County, and the County Treasurer of Florence County is hereby directed

Appropriation. and required to receive same and pay out said fund to said road sections as now provided for by law.

Approved December 20th, A. D. 1892.

No. 165. A JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE TREASURER OF MARION COUNTY TO TURN OVER TO THE TREASURER OF FLORENCE COUNTY ALL BALANCES OF SCHOOL FUNDS NOW IN HIS HANDS WHICH WERE COLLECTED FROM THE SCHOOL DISTRICTS FORMERLY EMBRACED IN MARION COUNTY BUT NOW EMBRACED IN FLORENCE COUNTY, AND TO AUTHORIZE AND REQUIRE THE TREASURER OF FLORENCE COUNTY TO RECEIVE, APPORTION AND PAY OUT SAID FUNDS TO SAID SCHOOL DISTRICTS ACCORDING TO LAW," BY STRIKING OUT THE PROVISO.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

A. A. 1890, 20 Stat., 860, amended.

General Assembly, and by the authority of the same, That a Joint Resolution entitled a Joint Resolution to authorize and require the Treasurer of Marion County to turn over to the Treasurer of Florence County all balances of school funds now in his hands which were collected from the school districts formerly embraced in Marion County but now embraced in Florence County, and to authorize and require the Treasurer of Florence County to receive, apportion and pay out said funds to said school districts according to law, be, and is hereby, amended so as to read as follows after the resolving words:

School balances to be turned over.

That the Treasurer of Marion County be, and he is hereby, authorized and required to turn over to the Treasurer of Florence County all balances of school funds now in his hands which were collected from the school districts formerly embraced in Marion County but now embraced in Florence County, and that said Treasurer of Florence County is hereby authorized and required to receive, apportion and pay out said funds to said school districts according to law.

Duty of County Treasurer of Florence.

Approved December 22nd, A. D. 1892.

No. 166.

A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE SCHOOL DISTRICT OF THE TOWN OF FLORENCE TO APPROPRIATE CERTAIN MONEYS TO THE LIQUIDATION OF ITS GENERAL INDEBTEDNESS.

Recitals.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That *whereas* certain moneys were collected by special tax for the year 1891 in the city and County of Florence for the purpose of providing a sinking fund for the redemption of certain bonds of the school district of the town of Florence; and *whereas* said bonds have not yet been issued; and *whereas* by resolution of the taxpayers of said school district of the town of Florence it was resolved that the General Assembly of the State of South Carolina should be petitioned to allow said school district to apply said moneys collected for the year 1891 to the liquidation of the general indebtedness of said school district. Now, therefore, that the said school district of the town of Florence be, and is hereby,

A. D. 1892. authorized and empowered to apply such moneys or such an amount of said moneys as may be necessary from the amounts collected for the year 1891 for the purpose of liquidating the said general indebtedness of said school district.

Certain money appropriated.

Approved December 20th, A. D. 1892.

No. 167. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF DARLINGTON AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN,' APPROVED DECEMBER 24TH, A. D. 1883, BY ADDING TWO SECTIONS THERETO, TO BE DESIGNATED AS 9 AND 10, EMPOWERING THE SCHOOL COMMISSIONERS TO BORROW MONEY, NOT TO EXCEED TEN THOUSAND DOLLARS, FOR THE PURPOSE OF ERECTING SCHOOL BUILDINGS IN SAID SCHOOL DISTRICT," APPROVED DECEMBER 24TH, A. D. 1890, BY STRIKING OUT SECTION 9 THEREOF AND SUBSTITUTING ANOTHER SECTION AS SECTION 9.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 9 of an Act entitled "An Act to amend an Act entitled 'An Act to provide for the establishment of a new school district in the County of Darlington and to authorize the levy and collection of a local tax therein,' approved December 24th, A. D. 1883, by adding two Sections thereto, to be designated as 9 and 10, empowering the School Commissioners to borrow money, not to exceed ten thousand dollars, for the purpose of erecting school buildings in said school district," approved December 24th, A. D. 1890, be, and the said Section 9 is hereby, stricken out of said Act and the following substituted as Section 9 thereof:

A. A. 1890, § 9, 20 Stat., 855, amended.

Section substituted.

SECTION 9. That the said school district of the town of Florence is hereby authorized and empowered to borrow a sum, not exceeding ten thousand dollars, for the purpose of erecting a school building or school buildings, within its limits, by issuing from time to time the bonds of the corporation, bearing interest at a rate not to exceed seven per centum per annum, payable semi-annually, and for the payment of the interest, and the ultimate

Loans for school buildings.

Bonds.

redemption of the principal according to the terms of the loan, the said corporation shall at all times be liable. And to provide for the payment of the interest on said bonds and to create a sinking fund for their ultimate redemption, the School Commissioners or School Board of said school district, being the corporate authorities thereof at the time the town taxes are assessed, shall assess and levy an annual tax of one mill on all the real and personal property returned in said school district, and the Town Treasurer, who is hereby constituted a member and part of the said corporation for that purpose, shall collect said tax at the time and in the manner provided for collecting the town taxes. The proceeds arising from this tax shall be kept separate for the sole purpose above named, and be paid out by the Town Treasurer upon warrants drawn by said School Commissioners, and the said Treasurer shall be liable to all penalties as hereinbefore provided.

A. D. 1892.

Assessment and levy of tax.

Collection.

Disposition of proceeds.

Approved December 24th, A. D. 1892.

AN ACT TO PROVIDE FOR THE ISSUE AND REDEMPTION OF BONDS TO BUILD A SCHOOL HOUSE FOR COLORED PUPILS BY THE FLORENCE SCHOOL DISTRICT. No. 168.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the school district of the town of Florence be, and is hereby, authorized and empowered to issue bonds to the amount of five thousand dollars, or such amount thereof as may be necessary, for the purpose of erecting a school building in said school district for the accommodation of the colored pupils of said school district.

Issue of bonds authorized.

Purpose.

SEC. 2. That said bonds shall bear interest at a rate not to exceed seven per cent. per annum, payable semi-annually. That said bonds shall run for a period not to exceed twenty years, and so much less than twenty years as the Board of School Commissioners of said school district shall determine.

Description of bonds.

SEC. 3. That to provide for a sinking fund for said bonds and for the interest on said bonds, the said Board of School Commissioners of said school district shall annually assess and levy a tax of one mill upon all real and personal property in said school district, and the Treasurer of the city of Florence shall collect said

Sinking fund.

Annual tax.

A. D. 1892.

tax at the time and in the manner provided for collecting the city taxes, and for this purpose shall be a part of the body corporate of said school district.

Election on question of issue

SEC. 4. That before the issue of the aforesaid bonds there shall be held an election of the citizens of the school district of the town of Florence, and unless the question of the issue of the said bonds shall receive a majority of all the votes cast this Act shall be inoperative.

Repealing clause.

SEC. 5. All Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 169. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY SCHOOL COMMISSIONER OF FLORENCE COUNTY TO APPROVE AND ORDER PAID, AND THE TREASURER OF SAID COUNTY TO PAY, OUT OF FUNDS ON HAND OR HEREAFTER TO BE COLLECTED FOR THE SEVERAL DISTRICTS NAMED, PAST DUE SCHOOL CLAIMS AS FOLLOWS: FROM DISTRICT NO. 4, ONE TO JOHN C. WESTON FOR $25, ONE TO MRS. A. P. WILSON FOR $21, ONE TO F. M. EMANUEL FOR $12.50, ONE TO MRS. DUNCAN MCINTYRE FOR $50; AND FROM DISTRICT NO. 3, ONE TO MISS H. M. ERVIN FOR $16.50, AND ONE FOR RENT SCHOOL HOUSE TO MISS S. J. STAKELY FOR $15.

Preamble.

Whereas it appears from the petition of J. E. Pettigrew, School Commissioner of Florence County, that the following past due school claims are just and unpaid; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County School Commissioner of Florence County be authorized

Claims to be approved and paid.

and required to approve and order paid, and the County Treasurer of said County to pay, out of any school funds now on hand or hereafter to be collected and apportioned to the school districts named hereinafter, respectively, the following past due school

Names and amounts.

claims against said districts, to wit: Against School District No. 4 of said County, a teacher's pay certificate to John C. Weston, for 1891, for twenty-five dollars; a teacher's pay certificate to

Mrs. A. P. Wilson, for 1890, for twenty-one dollars, and the following teacher's pay certificates for 1891, viz.: One to F. M. Emanuel for twelve and 50-100 dollars, and one to Mrs. Duncan McIntyre for fifty dollars; also one to Miss H. M. Ervin for School District No. 3 of said County for sixteen and 50-100 dollars, and a claim for rent of school house, District No. 3 of said County, to Miss S. J. Stakely for fifteen dollars. A. D. 1892.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE PAYMENT OF $60.00 TO ELIHU MULDROW AND $63.90 DOLLARS TO E. M. ERVIN BY TREASURER OF FLORENCE COUNTY AS PAST INDEBTEDNESS. No. 170.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Florence County be authorized and required to draw their checks, and the County Treasurer of said County to pay such checks, out of the general County funds for the fiscal year 1891–1892, as follows, to wit: To and in favor of E. W. Ervin, for the sum of sixty-three 90-100 dollars, for twenty-one days' service and 438 miles' travel as County Commissioner in the year A. D. 1890; and to and in favor of Elihu Muldrow for the sum of sixty dollars for twelve days' services in surveying the County line, according to law, in A. D. 1890. Checks to be drawn and paid. E. W. Ervin. Elihu Muldrow.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT ON THE STATE TREASURER IN FAVOR OF D. H. TRAXLER OF FLORENCE COUNTY FOR TEN DOLLARS, TO PAY BURIAL EXPENSES OF MRS. MARTHA KEITH, A LATE PENSIONER. No. 171.

Whereas, Martha Keith, late of Darlington County, now deceased, had pension checks in the hands of the Clerk of Court Preamble.

A. D. 1892.

of Darlington County at the time of her death for more than ten dollars; *and whereas*, Mr. D. H. Traxler spent the sum of ten dollars for her burial expenses on the faith of said checks; *and whereas*, after death, said checks were returned to the Comptroller-General on 28th September, 1889, and have never been paid,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Warrant to be drawn.

the Comptroller-General be, and he is hereby, authorized and required to draw his warrant on the State Treasurer for the sum of ten dollars in favor of D. H. Traxler of Florence County, to repay him for the burial expenses of the late Mrs. Martha Keith of Darlington County.

Approved December 15th, A. D. 1892.

No. 172. AN ACT TO AUTHORIZE AND EMPOWER THE BANK OF THE CAROLINAS TO ACCEPT AND EXECUTE TRUSTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

Right to accept and execute trusts.

and immediately after the approval of this Act, the Bank of the Carolinas shall have the power and authority, in addition to the powers already possessed, to accept and execute any trusts or trusteeships of any and every description which may at any time, with the consent of said bank, be committed and transferred to said Bank of the Carolinas, by any person or persons whomsoever, or by any bodies politic or corporate.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 15th, A. D. 1892.

No. 173. AN ACT TO INCORPORATE THE FLORENCE STREET AND SUBURBAN RAILWAY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

General Assembly, and by the authority of the same, That John P. Coffin, C. E. Janot, Wm. M. Perry, D. H. Walsh, and such other persons as they may associate with them, be, and they are hereby, created a body politic and corporate by the name of the Florence Street and Suburban Railway Company, with the power to sue and be sued in the Courts of the State of South Carolina, to have a common seal, with the right of alteration of the same, and to make by-laws for the government of said company.

Incorporation.

Name and powers.

Capital stock.

Increase.

Proviso.

When to organise.

SEC. 2. That the said company shall have power to raise a capital stock of ten thousand dollars, in shares of twenty-five dollars each, for the purposes contemplated, and may increase the same to the sum of fifty thousand dollars if a majority of the shareholders may deem it necessary: *Provided,* That each share of said capital stock shall have one vote upon such increase. The said company shall have power to organize and begin business when two thousand dollars shall have been paid in.

Property rights.

SEC. 3. That the said company shall have the power to purchase, hold and sell real estate and personal property for the purposes of its business.

Liability of stockholders.

SEC. 4. That the personal liability of each shareholder shall not exceed five per cent. in addition to the share or shares he or she may hold.

May construct street railways.

Consent of Council.

SEC. 5. That the said company shall have power to construct or own single or double street railway tracks, switches or side-tracks of such gauge as they may elect through any street or streets in the city of Florence, with the consent of the City Council, heretofore obtained by any of the incorporators above mentioned or hereafter to be obtained by the said company, and to extend said track such distance or distances, and in such directions into the country, not exceeding five miles in length from the city of Florence, as may be thought best by said company: *Provided, however,* The fare on such street railway shall not exceed five cents within the corporate limits of said city, and shall not exceed ten cents to points beyond said corporate limits.

Extensions.

Rates of fare.

Operation of roads.

SEC. 6. That said company shall have power to operate their cars in the transportation of passengers and freight over the tracks they may construct or acquire in said city, or upon the extension of their tracks into the country, using such motive power other than steam as may be deemed to the best interest of said company, and at such rates as may be fixed upon in the by-laws of the company: *Provided,* Passenger fare shall not exceed the rates stated in Section 5.

Motive power.

Rates.

A. D. 1892.

Coupon bonds.

SEC. 7. That said company shall have power and authority to issue coupon bonds to an amount not to exceed its capital stock, the same to be redeemable at such time, not exceeding twenty years, as may be agreed upon by said company, and to bear interest at the rate of seven per cent. per annum, payable semi-annually, and for the purpose of securing said bonds so issued

Mortgage.

shall have power to mortgage all the property, real and personal, and all the rights and franchises of said company.

Other railways in Florence.

SEC. 8. That when any parties petition said Florence Street and Suburban Railway Company to build a line of railway in any section of the city not already occupied by said company, the said company shall construct said railway or allow said petitioners to construct, own and operate said railway at their sole expense:

Provisoes.

Provided, Said railway does not run parallel with any line already constructed or in progress of construction by said company within eight hundred yards: *And provided, further*, That the fare to be charged on any such new line of railway shall be the same as that mentioned in Section 5.

Duration.

SEC. 9. That this Act shall be and remain in force for a period

Proviso.

of twenty years: *Provided*, That said company shall begin work upon its railway within one year, and complete the same within three years.

Repealing clause.

SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

NOTE.—For Act fixing compensation of County Board of Equalization and Township Assessors in Florence County, see Act No. 98, ante p. 167.

No. 174. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR SALARIES TO BE PAID TO THE PROBATE JUDGE, CORONER AND CLERK OF COURT OF GEORGETOWN COUNTY," APPROVED DECEMBER 22, A. D. 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1888, § 1, 20 Stat., 175, amended.

Section 1 of an Act entitled "An Act to provide for salaries to be paid to the Probate Judge, Coroner and Clerk of Court of Georgetown County," approved December 22, A. D. 1888, be,

and the same is hereby, amended so that said Section, as amended, shall read as follows: A. D. 1892.

SECTION 1. That after the passage of this Act the Probate Judge of the County of Georgetown shall be paid an annual salary of three hundred dollars, the Coroner an annual salary of three hundred dollars, and the Clerk of Court and Register of Mesne Conveyance of Georgetown County an annual salary of nine hundred dollars; which said salaries shall be in lieu of all fees and costs which they are all now respectively entitled in law to charge and receive in compensation for their services. Salary of Probate Judge. Coroner, Clerk and Register. To be in lieu of fees.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE PAYMENT OF A SALARY TO THE SHERIFF OF GEORGETOWN COUNTY FOR SERVICES IN CRIMINAL CASES AND IN CERTAIN OTHER CASES THEREIN," APPROVED DECEMBER 22D, A. D. 1891. No. 175.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to provide for the payment of a salary to the Sheriff of Georgetown County for services in criminal cases, and in certain other cases therein mentioned," approved December 22, 1891, be, and the same is hereby, amended so as to read as follows: A. A. 1891, § 1, 20 Stat., 1892, amended.

SECTION 1. That from and after the approval of this Act the Sheriff of Georgetown County shall receive an annual salary of fifteen hundred dollars in lieu of all costs, charges and fees whatsoever for services in criminal cases, whether the same be such as are cognizable in Trial Justices' Courts or in the Court of General Sessions, including the execution and service of all process issued by the Coroner or Probate Judge of said County: *Provided*, That nothing herein contained shall be construed to prevent him from receiving the fees provided by law for dieting prisoners and fees for transporting lunatics to the Asylum. Salary to Sheriff in lieu of costs. Dieting and transportation fees.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 176.

AN ACT TO PROHIBIT THE RUNNING AT LARGE OF ANY BULL BROKEN TO THE YOKE OR USED AS A BEAST OF BURDEN IN GEORGETOWN COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be unlawful for any bull which has been broken to the yoke or used as a beast of burden in any way to be permitted to run at large in Georgetown County.

Running at large prohibited

SEC. 2. That any such bull found running at large shall be liable to be impounded by any person, and advertised as an estray and sold for expenses of capture and impounding and of advertisement, unless the owner come forward and pay said expenses and take his property. And it shall be lawful for any person to capture and to castrate any such bull when found running at large in Georgetown County after the passage of this Act.

May be impounded.

Liable for expenses.

May be captured and castrated.

Approved December 24th, A. D. 1892.

No. 177. AN ACT TO RECHARTER YAWHANEY FERRY, IN GEORGETOWN COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the public ferry reaching across the Pee Dee River in Georgetown County, and known as Yawhaney Ferry, the charter of which expired on the 31st day of May, A. D. 1892, be, and the same is hereby, rechartered and re-established, and the said ferry is hereby vested in Gabriel L. Ellis and his heirs for the term of fifteen years from and after the approval of this Act; and that the following rates of toll be charged and collected at said ferry, and no more, except in case of a freshet, when the said ferry shall be a long ferry:

Recharter.

In whom vested

Rates authorized.

SEC. 2. For every horse and buggy, each way, twenty-five cents; for every two horses and buggy, each way, thirty-five cents; for one wagon and team of four horses, each way, forty cents; for one horse and cart, each way, fifteen cents; for every person on horseback leading or driving a mule or horse, ten cents; for every horse or mule, four cents; for every head of

Table of tolls.

cattle, three cents; for each hog, sheep or goat, two cents; for every animal for show, in addition to the carriage in which it may be conveyed, forty cents; for every foot passenger, each way, two and a half cents. A. D. 1892.

SEC. 3. Long Ferry:—For every four-horse carriage or vehicle, two dollars; for every two-horse carriage or vehicle, one dollar and twenty-five cents: for every foot passenger, twelve and one-half cents; for every horse and rider, twenty-five cents; for every head of cattle, goats and hogs, twelve and one-half cents: *Provided*, That children going to and coming from school, and voters going to and coming from the polls, militia going to and returning from muster, and clergymen, be passed free of toll. Long ferry tolls.

SEC. 4. That in case any greater sum shall be demanded or collected at said ferry than is prescribed in the foregoing Sections of this Act, by any person having the management or care of either of the said ferries, the person demanding or collecting such excessive toll shall be deemed guilty of a misdemeanor, and upon conviction thereof in any Court of competent jurisdiction shall be fined in a sum not less than one hundred dollars and costs and not more than two hundred dollars, and be imprisoned in the County jail for a period of not less than ninety days, nor more than six months. Penalty for over charge.

Approved December 19th, A. D. 1892.

AN ACT TO RATIFY, CONFIRM AND AMEND THE CHARTER OF THE PEOPLE'S BUILDING AND LOAN ASSOCIATION OF GEORGETOWN AND TO VALIDATE ALL ACTS HERETOFORE DONE AND PERFORMED BY SAID ASSOCIATION. No. 178.

Whereas the People's Building and Loan Association of Georgetown was chartered by the Honorable the Secretary of State on the 2nd day of May, 1892, with a capital stock of fifty thousand dollars, in five hundred shares of the par value of one hundred dollars each, pursuant to the provisions of the Act of the General Assembly of this State entitled "An Act to provide for the formation of certain corporations under general laws," approved December 23, 1886. *And whereas* in consequence of the demand for the stock of said association, six hundred shares of the stock thereof were subscribed for, and the said association has organized Preamble. See list of charters past. 19 Stat., 540. Other recitals.

A. D. 1892. and commenced business with a capital stock of sixty thousand dollars; *and whereas* doubts exist as to the legality of the said organization and of the corporate acts of said association done and performed thereunder; *and whereas* there is no mode provided by the general laws of this State whereby the defects in the said charter and in the organization of the said association may be cured without the interposition of the General Assembly; now, therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Capital stock fixed. said charter of the People's Building and Loan Association, issued by the Secretary of State on the 2nd day of May, 1892, be, and the same is hereby, amended so as to authorize the capital stock of said association to be fixed at sixty thousand dollars, in six hundred shares of the par value of one hundred dollars each.

Charter and acts confirmed. SEC. 2. That the charter of said association and its organization thereunder be, and the same is hereby, in all respects, ratified and confirmed, and that all acts heretofore done and performed by the said association in pursuance of its corporate powers, and which are not otherwise illegal, be, and the same are hereby, validated and declared to be firm and effectual to all intents and purposes whatsoever, in like manner and to as full an extent as if the said association had been originally chartered with a capital stock of sixty thousand dollars.

Approved December 15th, A. D. 1892.

No. 179. AN ACT TO CHARTER THE CITY OF GEORGETOWN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. from and after the passage of this Act all citizens of this State having resided twelve months within this State and sixty days within the corporate limits of the city of Georgetown shall be deemed, and are hereby declared to be, a body politic and corporate, and the said incorporation shall be called and hereafter

Name and powers. known by the name of the city of Georgetown. They shall have a common seal, may sue and be sued, implead and be impleaded, in

A. D. 1892.

any Court of justice in this State, and may purchase, hold, possess and enjoy, to them and their successors in perpetuity or for any term of years, any estate, real, personal or mixed. Property rights.

SEC. 2. The corporate limits of the city of Georgetown shall embrace all that area within the following boundaries: Commencing at the point on the shore of Sampit River where the highlands and rice lands of Serenity plantation join; thence following the dividing line between said high lands and rice lands in a general Southwesterly direction to the old Charleston Road; thence along said road, in its course toward Georgetown, to a point where it is intersected by what is known as the Cross Roads; thence along said Cross Roads in a Northeasterly direction to a point reached by a continuation of Church Street in a straight line and in a Northwesterly direction; thence down said continuation in a Southeasterly direction to a point which would be reached by the continuation of the line of division between Richmond and Willow-bank plantations; thence along said continuation to the rice fields of said plantations, and thence following the line of junction between the high lands and the rice lands of Willow-bank plantation to the head of Willow-bank canal; thence along said canal to the corner of Willow-bank and Greenwitch plantations; thence along the dividing line between these two plantations to Church Street; thence along a continuation of said street in a Southeasterly direction to the shore of Winyah Bay; thence following the shore of said bay to the extremity of the old Fort Point; thence across Sampit River in a line running due West to the Western shore of said river; thence along said shore in a general Northerly direction until a point on said shore is reached which is intersected by the Eastern line of St. James Street; thence across the peninsula in a line running due West; thence following the Western shore of said peninsula to its point or Westernmost extremity (embracing the whole of said peninsula from said due West line to said point), and thence across said river to the starting point. Corporate limits.

SEC. 3. The said city of Georgetown shall be governed by a Mayor and four Aldermen, who shall be citizens of the United States and of this State, and who shall have actually resided within the corporate limits of said city for at least twelve months immediately preceding their election, and who shall be known as and called the City Council of Georgetown. On third Monday of January in the year 1894, and on the same day in each alternate year thereafter, between the hours of eight o'clock in the Mayor and Aldermen. Election.

A. D. 1893. forenoon and four o'clock in the afternoon, an election for Mayor and Aldermen shall be held at the City Hall, or such convenient place as may be designated by said City Council, at least ten days' public notice thereof being previously given; at which election all male inhabitants of the age of twenty-one years, citizens of the United States and of this State, who shall have resided within the State twelve months, and in said city sixty days, immediately preceding such election, and not being under any of the disabilities mentioned in the Constitution of this State, shall be entitled to vote. When the polls are closed, the managers shall forthwith count the votes, declare the election and give notice of the result thereof in writing to the persons elected and also to the City Council ordering the election. The persons so elected shall present themselves at the next regular meeting of the City Council, or as soon thereafter as practicable, to qualify, by taking the oath prescribed in the Constitution of this State and the oath in regard to dueling, and shall immediately assume the duties of their office; and they shall remain in office until their successors are elected and qualified. The said City Council are hereby empowered to appoint three managers and make all necessary ordinances, rules and regulations for the proper conduct and control of said elections and for the punishment of offenses against the same. Thirty days previous to any election the said City Council shall open books for the registration of persons qualified to vote at such election, giving public notice thereof, which said books shall be finally closed ten days previous to such election; and only such persons as are therein registered shall be entitled to vote at such election. The said City Council are hereby empowered to make all necessary ordinances, rules and regulations for the proper registration of voters, and any person fraudulently registering, or attempting to register fraudulently, and any person voting or offering to vote, at any election for Mayor and Aldermen of said city, or any special election held therein, who has no right to vote at such election, or counseling, advising or encouraging any other person so to do, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by the ordinances of said city or by the laws of the State. That the first election under this charter shall be held on the third Monday in January, 1894, and shall be ordered by the present Council of the town of Georgetown, who are hereby charged with the duty of making all necessary arrangements for its proper conduct, and who shall remain in office and discharge

Notice.

Electors.

Declaration of result.

Oaths.

Conduct of election.

Registration.

Fraud.

Penalties.

First election.

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all the duties thereof until their successors are elected and qualified; but from and after the approval of this Act the present Town Council of Georgetown shall be known as, and are hereby declared to be, the City Council of Georgetown, and the present Intendant and Wardens shall be known as, and called, the Mayor and Aldermen of the city of Georgetown, and are hereby vested with all the powers, and charged with all the duties, of such Mayor and Aldermen, respectively. In case a vacancy shall occur in the office of Mayor by death, resignation or otherwise, the said Aldermen, or a majority of them, shall select from among themselves a Mayor to fill the vacancy; and the said Aldermen, or a majority of them, shall also elect from among themselves an Alderman to act as Mayor during the sickness or temporary absence of the Mayor, who, while acting as Mayor, shall be vested with all his duties and powers. In case a vacancy shall occur from any cause in the office of Alderman, the said City Council shall order an election to fill such vacancy: *Provided*, The unexpired term of such Alderman shall exceed six calendar months, which special election shall be subject to all the provisions of this Act and of the ordinances of said city relating to regular elections and the registration of voters. The said City Council, at the expiration of their term of office, shall pay over and deliver to their successors all moneys, books, records, papers and property in their hands belonging to the corporation.

Name of present Council changed.

Vacancy in office of Mayor.

Mayor *pro tem.*

Vacancy in office of Alderman.

Delivery to successors.

Fiscal year.

Annual statement.

Salary of Mayor.

Exemption from street duty

Council meetings.

Quorum.

Call meetings.

SEC. 4. The fiscal year of the city of Georgetown shall be the calendar year, and on the first day of January of each and every year the Clerk and Treasurer of said City Council shall make out a full and complete statement of all the receipts and disbursements for the year just ended and submit the same with all vouchers and books to the City Council at the following regular meeting for their inspection, and said report shall be published in a newspaper published in said city.

SEC. 5. That the Mayor of said city of Georgetown shall receive a salary of two hundred dollars per annum, but no salary shall become payable to the Mayor until after the election to be held on the third Monday in January, 1894; and the Mayor and Aldermen shall be exempt from street duty during their term of office.

SEC. 6. The Mayor, or any two Aldermen, shall, as often as may be necessary, summon the Aldermen to meet in Council, any two of whom with the Mayor shall constitute a quorum for the transaction of all business: *Provided*, That no call for a meet-

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ing shall be issued by the Aldermen until a written demand for such meeting shall have first been presented to the Mayor by such two Aldermen and he shall have refused to call the same. They

Ordinances.

and their successors in office, hereafter to be elected, shall have, and they are hereby vested with, full and ample power, from time to time, under their corporate seal, in Council assembled, to make all such ordinances as may be necessary to carry their corporate

Powers.

powers fully into effect; to make all such ordinances relative to the streets, roads, bridges, markets, public squares, parks, public buildings, public scales, weights and measures, fire department, water supply, harbor, wharves, pavements, sewers, lights, drains, police and health of said city as they may deem necessary and proper, and all such ordinances as may tend to preserve the quietude, peace, safety, good order and health of the inhabitants thereof, and the protection, security and enjoyment of their prop-

Water works.

erty. They shall have power to enact all such ordinances as may be necessary and proper for the establishment, construction and maintenance of a system of water works in said city, and to issue

Bonds.

bonds for that purpose, in the manner and on the conditions pre-

Inspectors.

scribed by this Act. And they are also authorized to appoint an Inspector of Turpentine, one or more Inspectors of Timber, an

Board of Health

Inspector of Wood, and a Board of Health, and all other neces-

Enforcement of ordinances.

sary officers to carry out their powers. They may provide for the enforcement of all ordinances so made by them, and they may provide for the punishment of any violation thereof by fine not exceeding one hundred dollars ($100.00), or imprisonment in the city prison or the County jail for a period not exceeding thirty (30) days, or both, for each offense: *Provided*, That all ordi-

Publication.

nances shall be published for at least two weeks in one or more of the newspapers of said city.

Trials.

SEC. 7. That all persons arrested for violating any of the ordinances of said city of Georgetown shall be subject to trial before the Mayor, without the intervention of a jury, with the right of

Right of appeal.

appeal to the City Council: *Provided*, That written notice of such appeal shall be served upon the Mayor or acting Mayor within three days after sentence pronounced. The said Mayor or City Council shall have power to require all persons who may be sen-

Labor on streets

tenced to imprisonment by the Mayor or Council to labor upon the streets of said city, and to require, by requisition on the Sheriff, all persons who may be sentenced by the Court of General Sessions to the County jail of Georgetown County at hard labor, as now provided by law, to labor upon the streets of the said city

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of Georgetown: *Provided,* That the said City Council shall by ordinance establish regulations for the safe keeping of said convicts of the Court of General Sessions, and shall pay to the Sheriff of said County the usual fees allowed by law for dieting prisoners, or diet the same at the expense of said city: *And provided, also,* That the services of said prisoners shall not be required or called for by the County Commissioners of said County.

Safe keeping of convicts.

Dieting.

Proviso.

SEC. 8. That the Mayor or City Council shall be empowered to require the presence of any person as a witness while such person may be within the limits of Georgetown County: *Provided,* They cause to be served upon such person a written or printed notice of the time and place when and where said witness shall attend; such written or printed notice to be signed by the Clerk and Treasurer, and issued under the common seal of the said city. And the said Mayor may cause a written or printed notice to be served upon any person who is to be brought before him for trial for violation of any ordinance of the city, stating the offense and the time and place of trial; and said notice may be served by either the City Marshal or any of the policemen of said city, or by the Sheriff of Georgetown County, and shall be signed by the Clerk and Treasurer and issued under the seal of said city: *Provided, however,* That this shall not prevent the arrest of any person while in the act of committing a breach of the peace, or an offense against public decency, or any violation of any ordinance of said city, without such written or printed notice: *And provided, further,* That if any person on whom such notice is served shall fail to appear at the time and place therein stated, a warrant may be issued by the Mayor of the corporation, under seal, and the City Marshal or either of the policemen of said city, or the Sheriff of said County, shall have power and authority to arrest such person, wherever found, in the manner provided by law. The Mayor or City Council may also fine or imprison any person who shall be guilty of contempt in his or their presence, while acting judicially.

Witnesses.

Summons to witness.

Summons to accused.

Arrest on sight.

Refusal to appear.

Contempts.

SEC. 9. That the said City Council shall have power to abate and remove all nuisances in said city; and they may lay out and open new streets, and widen or otherwise alter those now or hereafter in use; and all streets, lanes or alleys opened within the corporate limits of said city by any person or corporation shall be subject to such ordinances as may then be in existence, or may afterwards be passed in relation thereto. That they shall

Nuisances.

Streets.

A. D. 1892.

generally be charged with the maintenance and control of all streets, ways, sidewalks, pavements, sewers, drains and bridges within the corporate limits of said city; to accomplish which duty they are hereby clothed with all the powers of County Commissioners, exercisable only within said limits. They shall classify such inhabitants of said city as shall be liable to street duty therein; and shall have power to compound with all persons so made liable to work on the streets, ways, sidewalks, pavements, drains, sewers and bridges of said city, upon such terms as they by ordinance may establish; and any person refusing or failing to perform such labor, or to pay such commutation, shall be liable to such fine or imprisonment, or both, as the City Council may by ordinance prescribe. That persons who are regularly or daily employed or engaged in any business, either as employer or employee, within said city, but who may reside without the corporate limits, shall be also liable to said street duty, and subject to the same penalties as above provided.

Powers of County Commissioners.

Compounding for street work.

Penalties.

Liability of non-residents.

Clerk and Treasurer.

Bond.

Prison and police.

Bond and powers.

Posse comitatus.

Penalty against party arrested.

SEC. 10. That the City Council shall have power to appoint a Clerk and Treasurer and to fix his compensation and prescribe his duties. He shall give bond with sureties in such amount as may be deemed proper for the faithful discharge of his duties. They shall have power to establish and keep a guard house or city prison and to organize and maintain a police force for said city, and to prescribe their duties. And the City Marshal shall be the Chief of Police for said city and shall be deemed a member of the police force within the meaning of this Act. The City Marshal shall furnish bond in such amount as Council may require. Any of said police force are authorized to arrest and commit to the said guard house or prison, for trial before the Mayor, any person or persons who may be guilty, within the corporate limits of the said city, of a breach of the peace or of public drunkenness, or open indecency, or of resisting said police, or of any other disorderly conduct injurious to the peace, safety and good order of the said city or of its citizens, and any person or persons who may violate any of the ordinances of said city. And the said police shall, whenever necessary in the discharge of their duty, have authority to call the *posse comitatus* of said city to their assistance, and any person or bystander who shall fail or refuse to render assistance so required shall be punished as prescribed by ordinance; and any person or persons so arrested and imprisoned shall be liable to all the costs and expenses of such arrest and imprisonment, if any, and be further liable upon conviction

to such fine and imprisonment, or either, as the Mayor trying the same may impose: *Provided*, That such fine or imprisonment shall not exceed that mentioned in the sixth Section of this Act: *And provided, further*, That no person so arrested shall be detained in the said guard house for a longer period than twenty-four hours awaiting his trial; but Sundays are not to be taken into account in computing said time. And the said Mayor or acting Mayor may, by warrant issued, cause suspected places to be entered in as full and ample a manner as any Trial Justice of this State may for the arrest of persons charged with or suspected of violation of law, with a view to the detection, prevention or punishment of offenses within said jurisdictional limits of the city against the laws of this State or the ordinances of said city.

Limit.

Speedy trial.

Search warrant.

Annual taxes.

SEC. 11. That the said City Council shall have power and authority to impose the following annual taxes for the uses and purposes of said city, that is to say, a tax not exceeding two dollars on the assessed value of each one hundred dollars of real estate and personal property within the corporate limits of said city, except such property as may be exempt from taxation under the Constitution and laws of this State; the value of such real and personal property to be assessed for taxation as hereinafter provided for; also a special tax or license fee not exceeding ten dollars for the privilege of keeping and using for hire or profit all drays, wagons or carts drawn by one horse or mule, and the same for each horse or mule so used or kept for lifting or hoisting within the said limits; and they may also charge and collect in advance a license tax upon each show or exhibit within the said city, and upon each and every billiard and pool or bagatelle table and ten-pin alley, for play, upon which a charge is made in money or otherwise, and may prescribe and enforce penalties for refusal or neglect to pay the same. And the said City Council may also levy an annual tax, at the same rate per centum as shall from time to time be levied upon real and personal property, upon all premiums of insurance companies doing business or having an agency in the said city, and also upon the dues and assessments of all foreign or national building and loan associations having a branch office or agency in said city, and prescribe penalties for the non-payment thereof.

Assessments.

License tax.

Shows, billiard tables, &c.

Tax on foreign companies.

SEC. 12. That from the fifteenth day of February to the fifteenth day of March, inclusive, in each year, all persons having or possessing any property liable to taxation within said city,

Returns for taxation.

A. D. 1892.

either on their own account, or as executors, administrators, guardians, trustees, agents, or otherwise, shall make a return of their property, under oath, before the Clerk and Treasurer, who is hereby authorized to administer such oath. The said City Council may summon any person to appear before them, and answer under oath concerning his property liable for taxation; and the said City Council may correct all returns and assess at its true value all such property liable to taxation. Should any person fail to make return of his property within the time above mentioned, or fail to appear and answer concerning his property, when summoned as above provided, the Clerk and Treasurer shall make out an assessment from the books of the County Auditor, or other reliable source, of the real and personal property of such person liable for taxation, and shall add thereto a penalty of twenty per centum for such failure. An ordinance declaring the rate of annual taxation upon property and other subjects of annual taxation for the year shall be published at least twice before the books shall open for the collection of the taxes, and all persons liable to taxation shall make payment of their taxes to said Clerk and Treasurer between the first day of May and the first day of June (both days inclusive) in each year. Upon failure to make such payment the person so in default shall be subject to a penalty of twenty per centum upon the amount of his tax. That it shall be the duty of the Clerk and Treasurer to enforce the collection of any and all taxes, penalties, commutation moneys or other charges due to said corporation; and for this purpose he is hereby authorized and empowered to issue execution under the seal of said corporation, directed to the City Marshal of said city, requiring him to levy and sell of the property, real or personal, or both, of such person so in default sufficient to pay all such taxes, penalties, charges and costs. The said City Marshal shall proceed to make distress, levy and sale of the personal or real estate, or both, of delinquent taxpayers in the same manner and with like effect as now provided by law for the collection of State and County taxes under execution: *Provided*, That no sale of real estate under execution by the said City Marshal shall be held invalid by reason of the failure or neglect of the said Marshal to first levy upon the personal property of the defaulting taxpayer: *And provided, further*, That in case there be no bid for any real estate so exposed for sale equal in amount to the taxes named in said execution, the Clerk and Treasurer of the said city shall buy the land for the said City of Georgetown,

Examination of taxpayer.

Corrections.

Penalty in case of failure to return.

Publication of ordinance.

Payment of taxes.

Penalty.

Enforcement of payment.

Execution.

Levy and sale.

Order of sale.

Purchase by city.

A. D. 1832.

as the actual purchaser thereof, for the amount of said taxes and penalties, costs and charges, and the said Marshal shall thereupon execute titles to said City of Georgetown, as to any other purchaser, in the manner now provided by the laws of the State in like cases. And in all cases the Marshal's deed of conveyance, whether executed to a private person, a corporation, or to the City of Georgetown, shall be held and taken as *prima facie* evidence of a good title in the holder, and that all proceedings have been regular, and all requirements of the law duly and fully complied with. No action for the recovery of any land sold by the Marshal of said city under the provisions of this Act, or for the recovery of the possession thereof, shall be maintained unless brought within two years from the date of said sale. That the Clerk and Treasurer shall be allowed one dollar costs on each execution issued by him, and the Marshal shall also be entitled to one dollar costs on each execution lodged with him for collection: *Provided,* That no *nulla bona* costs shall be charged against said city: *And provided, further,* That no Clerk and Treasurer issuing such execution, or Marshal receiving the same, shall have any claim upon the City Council for failure to collect such executions; nor shall they have any interest or claim therein after they shall cease to be officers of the city of Georgetown; and all property upon which a tax shall be assessed is hereby declared and made liable for the payment of the same, and for any penalties and charges thereon, in preference to all other debts and encumbrances except debts and taxes due the State.

Title.

To be *prima facie* evidence of good title.

Limitation of actions.

Fees.

Nulla bona.

Lien for taxes.

Liquor licenses.

SEC. 13. That whenever it may be lawful for said City Council to grant licenses for the sale of spirituous or intoxicating liquors within the corporate limits of said city, no such license shall be granted for less than five hundred dollars ($500) per annum, payable in advance, but the said City Council may make such license payable in four equal installments, quarterly in advance, and the party or parties wishing such quarterly payments may be required to enter into bond, with two or more good sureties for the payment of the remaining quarterly payments, whether such liquor business shall be continued or not. That if any of said installment be not paid when the same shall fall due, the Council is hereby authorized to proceed to collect by process of law the quarterly payment then due, and also in the same action the remaining quarterly payments to accrue during the year for which such license shall have been issued. That if the person or persons to whom such license may have been granted shall be con-

License fee.

Bond.

Collections.

A. D. 1892.

victed before the Mayor or said City Council of the offense of furnishing, by sale, gift or otherwise, any intoxicating drink to a person of known intemperate habits, or to a person while drunk or intoxicated, or to a minor, or of any violation of any of the ordinances of said city regulating the sale of liquor, the license so granted shall thereupon become null and void. The said City Council shall have power to pass all necessary ordinances regulating the sale of liquor within the city of Georgetown, and to impose such penalties for violation thereof as are authorized by this Act.

Penalty for unlawful sale.

Ordinances.

License tax on business.

SEC. 14. That the said City Council be, and they are hereby, authorized annually to require the payment of a reasonable sum or sums of money as a license tax, by any person or corporation engaged in any calling, business, profession or occupation, in whole or in part, within the limits of the city of Georgetown, except those engaged in the calling or profession of teachers and ministers of the gospel. That the said City Council are hereby authorized to pass such ordinances as are necessary to carry the purposes of this Section into full effect, and to provide for the punishment of all delinquents thereunder.

Exceptions.

Ordinances.

Fire district.

SEC. 15. That said City Council shall have power to define the limits of the fire districts within the city, and to prescribe the material of which buildings or other structures within such limits shall be constructed, and to prevent the erection of buildings or other structures therein of any other material than is prescribed. And they are hereby authorized to make all ordinances necessary to carry this power into full effect, and to punish by fine or imprisonment, or otherwise, all violations or attempted violations thereof.

Ordinances.

Loans.

SEC. 16. That the said City Council shall be authorized to borrow money only for corporate purposes, and upon coupon bonds bearing interest not exceeding seven (7) per centum per annum: *Provided*, That no loan shall be effected without a special election of the legal voters of said city after thirty (30) days' previous public notice thereof from the Council, and the said City Council shall order the said election only upon the petition in writing of a majority of the citizens of said city owning real estate therein praying that said election be ordered and specifying the amount and purposes of such loan: *Provided, further*, That such election shall not be held until the persons voting at such election shall have been duly registered in the manner provided for in the third Section of this Act. But

Previous election.

Registration.

A. D. 1892.

nothing in this Section contained shall be construed to prevent the said City Council from making a temporary loan, payable out of the first succeeding collection of taxes, for the proper payment of the legitimate expenses of the city government; no such loan, however, to exceed the sum of two thousand dollars or bear interest exceeding seven (7) per cent.; and the City Council are hereby authorized to pass a resolution, at a regular meeting, empowering the Mayor and Clerk and Treasurer to make such temporary loan, and to execute the note of the corporation for the same, payable out of the next collection of taxes.

Temporary loans.

Limit.

How made.

SEC. 17. That the City Council shall have power to grant the right of way through the streets of the city to any railway company for the conveyance of either freight or passengers, or both, petitions for such right of way being first submitted to Council signed by a majority of the freeholders owning real estate situate, abutting or lying on the street through which it is proposed to build such railway; and the said City Council shall grant such right of way only by ordinance, duly enacted, regulating the construction and operation of such railway, and providing such safeguards as may be necessary for the protection of the rights of the public and of persons living or doing business on such street. That such railway may be operated by steam, electricity or animal power.

Right of way to railways.

Ordinance.

How operated.

SEC. 18. That the city of Georgetown shall have control of that portion of Sampit River lying within the corporate limits, and shall have jurisdiction over vessels, steamers, rafts, and all other water craft traveling or plying thereon, with their crews and passengers; and they may regulate the running of water craft traveling or plying on the same, so as to protect the lives and property of others engaged in business on said river, or along its banks. They shall also have authority to prevent the placing of obstructions in said river, within the corporate limits, and to cause the removal of all obstructions on the part of any person or persons, or corporation, and to enforce the same by fine or imprisonment, or both. And the said Council shall also have the right to remove such obstruction or obstructions, and collect from the party or parties responsible therefor, in any Court of competent jurisdiction, the cost of removal. That no wharves shall be built within the city of Georgetown, except by and under the written consent of the City Council, subject to such ordinances as they may adopt. And the said City Council may adopt ordinances regulating the building of such wharves and the

Control over Sampit River.

Vessels.

Obstructions in river.

Removal.

Wharves.

A. D. 1892.

keeping the same in repair. They shall also establish the harbor lines, beyond which it shall not be lawful to construct wharves. And the said City Council are vested with authority to prescribe by ordinance penalties not exceeding those fixed by this Act for any violation of the provisions of this Section or of any ordinances passed under authority of the same: *Provided*, That wharf owners shall be permitted to charge wharfage, subject to the regulations now or hereafter established by the laws of this State.

Harbor lines.

Penalties.

Wharfage.

Registration of births, &c.

SEC. 19. That the said City Council shall have authority to establish a system for the registration of all births, deaths and marriages that may occur within the corporate limits of said city, and to pass all such ordinances as may be necessary for the proper conduct thereof. The Coroner of Georgetown County is hereby required to furnish said City Council, or its officer appointed for the purpose of keeping such records, with a certificate of the cause of death of any person or persons coming under his official notice. In case of the appearance of any contagious or infectious diseases within said city limits, the said City Council shall have full power to pass all necessary ordinances to preserve the health of the city and prevent the introduction of epidemic diseases within the city, said power to extend, if necessary, to the removal of persons infected or contaminated to places of isolation.

Duty of Coroner

Prevention of disease.

Sidewalks.

SEC. 20. That said City Council shall have authority, whenever the same shall in their judgment be necessary, to lay new sidewalks of brick, stone or cement, or other material except wood; and one-half of the cost of said sidewalks may be assessed upon the property abutting thereon, the City Council paying the other half. The proportion of such cost which may be assessed against the adjoining property shall be a lien upon such property until paid, and upon the failure or refusal of the owner or owners to pay the same, payment thereof may be enforced by action brought in any Court of competent jurisdiction: *Provided*, That before any such assessment shall become a lien upon the adjoining property, the City Council shall cause to be served upon the owner or owners of such property, or the agent or attorney, guardian or trustee of such owner or owners, a written or printed notice describing in general terms the work done, and stating the amount of the assessment, the number of linear feet of frontage covered by same and the actual cost thereof per linear foot. And the said assessment shall be final, unless such abut-

Assessment.

Enforcement of payment.

Notice to owners.

A. D. 1892.

ting land owner shall, within twenty days after the service of such notice, file with the Clerk and Treasurer of the city his complaint in writing against the assessment on the ground that the cost of said work is excessive or the said assessment arbitrary and unjust, which said complaint shall be heard and considered by the City Council within ten days after the filing thereof; and said Council shall have the right upon such hearing to reduce the proportion of the cost of such work assessed upon the property of the complainant, or in its discretion to relieve him entirely thereof. And any person aggrieved by the judgment of the City Council upon such complaint may appeal therefrom to the Court of Common Pleas, whose judgment therein shall be final: *Provided,* That written notice of such appeal and of the grounds thereof be served upon the Clerk and Treasurer of the city within ten days after the final action of said City Council.

Complaint by owner.

Hearing.

Right of Council.

Appeal.

SEC. 21. The said City Council shall have power to prohibit the erection or maintenance, within certain limits to be prescribed by them, of any livery stable, machine shop or manufacturing establishment which might prove deleterious to the health of the residents of the said city or dangerous to the property in the vicinity. And they may also prohibit the cultivation of rice or any other crop injurious to health in the said corporate limits: *Provided,* That such prohibition shall not extend to the prevention of rice planting upon the plantation known as "Greenwich."

Certain erections may be prohibited.

Rice culture.

Exception.

SEC. 22. That all ordinances heretofore passed by the Town Council of Georgetown, and now in force, in conformity with the authority granted by existing laws, shall be, and they are hereby declared to be, legal and valid and of full force and effect within said city of Georgetown until the same shall be amended or repealed by the said City Council.

Ordinances validated.

SEC. 23. That the present bonded indebtedness of the town of Georgetown shall become, and is hereby made, an obligation of the city of Georgetown, and the said city is hereby required to provide for the payment of the principal and interest thereof as the same shall fall due.

Imposition of debt.

SEC. 24. That all Acts of the General Assembly of this State chartering, or amending the charter of, the town of Georgetown be, and the same are hereby, repealed.

Repealing clause.

SEC. 25. That this Act shall go into effect immediately upon its approval, and shall be deemed a public Act, and shall continue of force until repealed.

When to take effect.

Public Act.

Duration.

A. D. 1892.

Further repealing clause.

SEC. 26. That all Acts or parts of Acts inconsistent with or repugnant to the provisions of this Act be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1892.

NOTE.—For Act prohibiting hunting, &c., in Georgetown County, see Act No. 112, ante p. 179.

For Act relating to catching of terrapins in Georgetown County, see Act No. 118, ante p. 180.

No. 180. AN ACT TO PROVIDE FOR A SALARY TO THE REGISTER OF MESNE CONVEYANCES OF GREENVILLE COUNTY, AND TO REQUIRE FEES FOR RECORDING TO BE COLLECTED AND PAID TO THE COUNTY TREASURER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the Register of Mesne Conveyances of Greenville County shall receive a salary of twelve hundred dollars per annum in lieu of all fees and charges for filing and recording papers, which salary shall be paid to him monthly by warrant of the County Commissioners on the County Treasurer, to be paid out of the funds hereinafter required to be paid to said Treasurer from fees for recording and filing papers, any deficiency to be paid out of County funds in his hands not otherwise appropriated.

Salary of $1,200 prescribed.

How paid.

Account of fees.

SEC. 2. That the said Register of Mesne Conveyances shall charge, collect and keep an accurate itemized account of all fees for recording for individuals, companies or corporations the same as now allowed by law, and to pay the same over weekly to the County Treasurer, taking his receipt for the same; that out of the funds thus realized the County Treasurer shall pay the monthly warrant for salary of said Register, carrying any surplus of such fund to ordinary County purposes.

To be paid over weekly.

Disposition.

Approved December 19th, A. D. 1892.

A JOINT RESOLUTION TO DECLARE LEGAL AND VALID THE ELECTION OF J. THOMAS AUSTIN TO THE OFFICE OF REGISTER OF MESNE CONVEYANCES FOR GREENVILLE COUNTY. A. D. 1892. No. 181.

Whereas the Commissioners of Election for Greenville County omitted in publishing the list of officers to be voted for at the last general election that of the office of Register of Mesne Conveyances for said County, but the election for said office was held with that of other County offices, and the said J. Thomas Austin was duly declared elected to said office: Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the election of J. Thomas Austin to the office of Register of Mesne Conveyances for Greenville County be, and the same is hereby, declared and made legal and valid. Election confirmed.

Approved December 20th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO APPLY THE SURPLUS OF THE ⅜ MILL GREENVILLE AND LAURENS RAILROAD TAX TO THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY. No. 182.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County are hereby authorized to apply any surplus of ⅜ mill Greenville and Laurens Railroad tax levied previous to the first day of November, 1891, and now in the treasury, to the payment of the past indebtedness of said County. Appropriated to past indebtedness.

Approved December 20th, A. D. 1892.

AN ACT TO LIMIT THE TRIAL JUSTICES IN GREENVILLE COUNTY, TO FIX THEIR TERRITORIAL JURISDICTION, AND FOR THE MANNER AND AMOUNT OF THEIR COMPENSATION. No. 183.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

General Assembly, and by the authority of the same, That from and after the passage of this Act there shall be seventeen Trial Justices in and for Greenville County, one to each township thereof, except the Township of Greenville, and it shall have two. Each of said Trial Justices shall have jurisdiction of all matters properly triable in Courts of Trial Justices for the township in which they reside.

Number and location.

Jurisdiction.

Compensation.

SEC. 2. That the compensation of each of said Trial Justices, except for the Township of Greenville, shall be thirty-seven dollars and fifty cents per annum, and those of the Township of Greenville two hundred dollars each per annum. The above compensation to be the full amount to be received for each of the Trial Justices for all services in all criminal cases, to be paid quarterly by the County Treasurer upon the warrant of the County Commissioners.

How paid.

Constables.

SEC. 3. That each of said Trial Justices shall have the power to appoint one Constable for the services of all processes issued by them, civil and criminal, who shall receive thirty-seven dollars and fifty cents per annum in lieu of all fees and costs in criminal cases, except the Trial Justices in the Township of Greenville, who shall not be allowed to appoint any Constable, but whose processes shall be issued to the Sheriff of the County and be served by him, and that he shall attend on the Trial Justice Court in the trial of all cases when requested by said Trial Justices. The compensation of Constables to be paid as now provided for by law.

Compensation.

Duty of Sheriff.

How paid.

Repealing clause.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 5. That this Act shall go into effect as soon as approved.

Approved December 20th, A. D. 1892.

No. 184. AN ACT TO CREATE A SEPARATE SCHOOL DISTRICT FROM PORTIONS OF LAURENS AND GREENVILLE COUNTIES, INCLUDING THE TOWN OF PRINCETON IN LAURENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That those portions of Laurens and Greenville Counties lying within the following boundary lines, to wit: Commencing on Saluda River

Area and boundaries.

at the mouth of Mountain Creek; up said creek to the fork of Beaver Dam; thence up Beaver Dam to Northwest corner between Mrs. T. E. McCullough and estate of James McCullough; East to Col. McCullough's gin house; thence Southeast to Nimrod Traynham's place; from Nimrod Traynham's place Northeast to old Stone place on the East side of Horse Creek; from Stone place Southeast to Stephney Jacob's house on the old Mrs. Perritt place; from thence to A. J. Traynham's house on public road from Princeton to Tumbling Shoals; from thence a straight line to ford of creek on road from Capt. J. B. Humbert's to Mt. Bethel; from thence a straight line to house on W. A. Lesley's place now occupied by Lee James; from thence to W. A. Reeves's house; from thence to house of W. A. Shorp's place now occupied by Booze Mattox; thence to M. L. Davis's house on John D. Sullivan's place; thence in a straight line to mouth of William Meekin's spring branch on Saluda River; thence up said river to beginning corner. A. D. 1892.

SEC. 2. That J. L. French, M. B. McCowen, B. F. Arnold, W. A. Lesley, John D. Sullivan and Jos. B. Humbert be, and the same are hereby, constituted a Board of Trustees for the Princeton Graded School District, and their successors to be elected by the said Board of Trustees and thereupon appointed by the Superintendent of Education. Board of Trustees.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2nd. To determine the studies and class books to be used in the schools of said district. 3rd. To elect and dismiss the teachers, to fix their salaries and prescribe their duties and term of office, and to make rules for the government of the schools not inconsistent with the general school laws. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of the School Commissioner of Laurens County. 5th. To take charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created. Powers and duties. Studies. Teachers. Annual report. Care of property.

SEC. 4. That the Board of Trustees shall elect from its members a Chairman, also a Secretary and Treasurer. And the Treasurer shall give a good bond in the penalty of five hundred dollars for the faithful performance of his duties as such. Officers of Board. Bond.

A. D. 1892.

Meetings of Board.

SEC. 5. That the Chairman shall call meetings of the Board, whenever, in his judgment, it is necessary, or whenever three (3) members of the Board shall in writing request him to do so.

School Commissioners excluded from jurisdiction.

That the School Commissioners of Laurens County and Greenville County shall have jurisdiction only over the schools and educational interest of their Counties not comprised within the corporate limits of the said new school district hereby created under the name of the Princeton Graded School District.

Local school tax.

SEC. 6. That the said school district is hereby authorized and empowered to levy on all real and personal property returned in the said school district a local tax not exceeding three mills on the dollar in any one year, to supplement the general tax, for the support of schools, by the persons and in the mode following, to

Meeting of voters.

wit: The said Board of Trustees, if they deem it expedient, shall, on or before the 15th day of January, 1893, and on or before the same day in each succeeding year, call a meeting in the said school district of all the legal voters living in the above named school district and returning real and personal property therein:

Notice.

Provided, That public notice of said meetings, specifying the time, place and object, shall be given at least ten days before said meeting by posting the same in three conspicuous places in the said school district, and by publishing the same at least twice in one of the newspapers having the largest circulation in the said

Powers of meeting.

school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax,

Tax levied and not to be repealed.

if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman

Notification, assessment and collection of tax

of said meeting shall, within one week thereafter, notify the Chairman of the Board of Trustees and the County Auditor of Laurens County, and the County Auditor of Greenville County, of the amount of tax thus levied on the property of their respective Counties, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district in their respective Counties, and the County Treasurers

How collected.

of said Counties shall collect such tax with the other taxes for the same year; and such tax shall be liable to like process and penalty as are State and County taxes.

Disposition of school taxes.

SEC. 7. The County Treasurer of the County of Laurens shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of law or under the provisions of this Act,

subject to the warrant of the Treasurer of the Board of Trustees of said school district. A. D. 1892.

SEC. 8. All moneys received by the County Treasurer from the local tax herein and the liquor license tax shall be protected by the official bond of said Treasurer, and shall, except so much as is payable to the County, be paid out only on the warrant of the Treasurer of said Board of Trustees of the school district. Covered by Treasurer's bond. How paid out.

SEC. 9. That said Trustees are authorized to use so much of the school taxes herein provided for the first year as may be in their judgment necessary to erect school buildings in said district. School buildings

SEC. 10. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 11. This Act shall be deemed a public Act, and shall take effect and be of full force immediately after the date of its approval. Public Act. When to take effect.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION AUTHORIZING AND DIRECTING THE COMPTROLLER-GENERAL OF THIS STATE TO DRAW HIS WARRANT ON THE STATE TREASURER IN FAVOR OF P. D. GILREATH FOR SEVENTY-FIVE DOLLARS, BEING FOR REWARD OFFERED FOR THE APPREHENSION OF PERRY ABRAHAM, AND THE STATE TREASURER TO PAY THE SAME. No. 185.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General of this State be, and he is hereby, authorized and directed to draw his warrant on the State Treasurer for the sum of seventy-five dollars in favor of P. D. Gilreath, of Greenville County, to pay the reward offered for the apprehension of one Perry Abraham, who was charged with murder in the year 1890, said amount having been paid by said Gilreath to the party who apprehended him out of his own funds. Warrant to be drawn. For $75.

SEC. 2. That said State Treasurer do pay the same out of any funds in the Treasury not otherwise appropriated. Payment directed.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 186.

AN ACT TO CHARTER THE FAIRVIEW STOCK, AGRICULTURAL AND MECHANICAL ASSOCIATION, OF FAIRVIEW, IN GREENVILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. S. Peden, W. H. Britt, D. R. Anderson, C. C. Terry, J. M. Thackston, J. W. Anderson, H. B. Stewart, and their associates and successors, shall be, and they are hereby declared to be, a body politic and corporate, by the name and style of "The Fairview Stock and Agricultural and Mechanical Association, of Fairview, S. C.," and by the said name shall have succession of office and members and have a common seal.

Incorporation.

Name, succession and seal.

Property rights.

SEC. 2. That the said corporation shall have power to purchase, lease, release and possess any real or personal estate not exceeding in value the sum of fifty thousand dollars, to sell the same, and by its corporate name to sue and be sued in any Court in this State, and to make such rules and by-laws as may be necessary to carry out the provisions of this Act.

Other rights.

May appoint peace officers.

SEC. 3. That the said association and their successors in office shall have power and authority to appoint peace officers, who shall have the powers of policemen, and may arrest during the meetings of the association, and during the times the exhibitions of the association are going on, any person or persons who may be guilty of disorderly conduct, or of any breach of the peace, within or upon the grounds of the said association, and detain them and carry them before the nearest Trial Justice for trial, and that the said Trial Justice is hereby authorized and empowered to punish such person or persons found guilty by fine not exceeding twenty dollars or imprisonment not exceeding thirty days in jail.

Disturbers at exhibitions.

Sales at exhibition.

SEC. 4. That the said association and their successors shall have power to license or prohibit the sale of goods, wares and merchandise of any kind whatsoever by itinerant traders and salesmen within one-half mile of the place of exhibit of the association, during the time of the exhibitions of the association, unless he shall have obtained a license from the said association; and any person violating the provisions of this Section, upon conviction before a Trial Justice, shall be fined in a sum not exceeding twenty dollars, or be imprisoned not exceeding thirty days.

License.

Penalty.

Sale of liquors prohibited.

SEC. 5. That it shall be unlawful for any person or persons to offer for sale, or sell, or dispose of by traffic, gift, or otherwise,

during the meetings or exhibitions of the association any spirituous or malt liquor, wines, bitters, or bitters of which spirituous liquors form an ingredient, within one mile of the place of the exhibit of the association, and any person or persons violating the provisions of this Section of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than two hundred dollars, or imprisonment for a term not less than six months, or both, in the discretion of the Court trying the case, for each and every offense. A. D. 1892. Penalty.

SEC. 6. That this Act shall be a public Act, and shall continue in force for a period of thirty years from the date of its approval; and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Public Act. Duration. Repealing clause.

Approved December 19th, A. D. 1892.

AN ACT TO RENEW AND AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE STREET RAILWAY COMPANY OF THE CITY OF GREENVILLE," APPROVED MARCH 9TH, 1875, AND TO ADD AN ADDITIONAL SECTION THERETO AS SECTION 7.* No. 187.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 1, 2, 3, 5 and 6 of an Act entitled "An Act to incorporate the Street Railway Company of the City of Greenville," be, and the same are hereby, amended, respectively, to read as follows: A. A. 1875, 15 Stat., 879, amended.

SECTION 1. That Samuel Stradley, William L. Mauldin, V. E. McBee, James P. Moore, Franklin Coxe, Thomas C. Gower, William E. Earle, and all other persons who may become associated with them, be, and the same are hereby, declared a body politic and corporate under the name and style of the Street Railway Company of the City of Greenville, S. C., and by that title shall have power to raise a capital stock of not less than ten thousand dollars, nor more than five hundred thousand dollars, in such a way or time and manner as may be found convenient. Incorporation. Name. Capital stock.

SECTION 2. Said corporation shall have the power and authority, subject, as hereinafter provided, to the ordinances of the City Street railway tracks.

*Another Act, substantially a duplicate of this Act, was approved on the same day as this. Its publication is, therefore, unnecessary.—EDITOR.

A. D. 1892. Council of Greenville city relative thereto, to lay lines of railway track through and along any of the ways or streets of the city of Greenville, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be drawn by horse or other animal power, electricity, steam or other power, or any or all of them, for the transportation of passengers and freight, and shall have all the power and authority necessary to carry the same into effect. And for the purpose of applying electricity or other power the said corporation is authorized to erect and place in said streets or ways poles and wires, and other necessary or useful appliances: *Provided*, That all such fixtures and appurtenances shall be so placed as not to interfere in the least manner possible with the free use of the streets or ways of said city. And said corporation shall have power to construct, maintain and operate lines of railway anywhere in the County of Greenville.

Cars.

Motive power.

Electrical appliances.

Proviso.

Lines of railway.

Powers of corporation. SECTION 3. Said corporation shall have power to acquire, buy and sell real estate, sue and be sued, plead and be impleaded, to have a succession of officers and members, and power to make by-laws for the entire conduct of its business as may from time to time be found convenient, and are not repugnant to the laws of this State and the United States.

By-laws.

Electric power. SECTION 5. Said corporation shall have power to produce and sell, rent or lease electric power and energy in all of its forms, for any or all commercial, industrial and scientific uses.

Bonds and mortgages. SECTION 6. Said corporation shall have power to issue bonds and to provide for the payment of the same, and may mortgage or convey in trust its franchise and other property.

New Section. SEC. 2. That the following Section be, and the same is hereby, added as Section 7:

Public Act. SECTION 7. This Act shall be a public Act and shall continue in force for thirty years, and when approved shall repeal all Acts inconsistent herewith, and shall take effect on approval.

Duration.

When to take effect.

Approved December 24th, A. D. 1892.

No. 188. AN ACT TO INCORPORATE "THE GREENVILLE RAILWAY AND POWER COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That Frank Hammond, A. G. Furman and W. J. Thackston, their associates, successors and assigns, are hereby constituted a corporation under the name of "The Greenville Railway and Power Company." A. D. 1892. Incorporation. Name.

SEC. 2. Said corporation shall have the power to construct, maintain and operate lines of railway through any of the streets or ways of the city of Greenville and the County of Greenville, for the carriage of passengers and freight: *Provided*, That no line shall be constructed in any of the streets or ways of the city of Greenville until the City Council of said city has first assented thereto. Street railways. Assent of Council.

SEC. 3. Said corporation shall have power to produce electrical energy and power in all its forms, and may sell, rent, lease or otherwise dispose of the same for any or all commercial, industrial and scientific purposes. Electric power.

SEC. 4. Said lines of railway may be operated by steam, electricity or horse power, or all of them; and for the purpose of using electricity, or other power, the said corporation is authorized to erect and place poles, wires and other necessary and useful appliances in the said city of Greenville: *Provided*, That they shall be placed in such a manner as shall least interfere with the free use of said streets or ways in said city of Greenville. Operation of railway. Erections. Proviso.

SEC. 5. The capital stock of the said corporation shall not be less than one thousand dollars per mile of railway projected or constructed, and may be raised and paid to said corporation in such manner as the incorporators, their associates, successors or assigns, may determine. Capital stock.

SEC. 6. The corporation may acquire and hold such real estate as it may find convenient for the proper conduct of its business. It may also buy and sell real estate. Said corporation shall have power to buy, lease, rent, or otherwise acquire, any charters or franchises that may have been heretofore granted or that may be hereafter granted to any company by the State of South Carolina, and may combine such acquisitions, under the power of this charter, as may be deemed wise, at any or all times, in such manner as may be designated by the Board of Directors of this corporation. Property rights. Other charters. Amalgamation.

SEC. 7. The incorporators shall be the Board of Directors until their successors are elected or appointed, and said corporation may make such by-laws for the entire government of the affairs of the corporation as may be deemed best and are not repugnant to the laws of this State or the United States. Board of Directors. By-laws.

A. D. 1892.

Bonds and mortgages.

SEC. 8. Said corporation may issue bonds, and to secure payment of the same may mortgage or convey its franchise and other property in trust.

Public Act. Duration. When to take effect.

SEC. 9. This Act shall be a public Act and continue thirty years, and shall take effect on its approval.

Approved December 24th, A. D. 1892.

NOTE.—For Act fixing compensation of County Board of Equalization and Township Assessors in Greenville County, see Act No. 98, ante p. 167.

No. 189. AN ACT TO AMEND SECTION 7 OF AN ACT ENTITLED "AN ACT TO CREATE A NEW SCHOOL DISTRICT WITHIN PEOPLES TOWNSHIP, IN HAMPTON COUNTY, TO BE KNOWN AS THE BRUNSON GRADED SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24TH, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1887, § 7, 19 Stat., 1036, amended.

Section 7 of an Act entitled "An Act to create a new school district within Peoples Township, of Brunson, in Hampton County, to be known as the Brunson's Graded School District, and to authorize the levy and collection of a local tax therein," approved December 24th, 1887, be amended by striking the word

Rate of taxation.

"two" on line three and inserting in lieu thereof the word "five," so that as amended said Section shall read as follows:

Section as amended.

SECTION 7. That the said school district is also hereby authorized and empowered to levy on all real and personal property

Local school tax.

returned in the said school district a local tax not exceeding five mills on the dollar in any one year to supplement the general tax for the support of schools by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expe-

Annual meeting of voters.

dient, shall, on or before the 15th day of January, 1888, and on or before the same day in each succeeding year, call a meeting in the said school district of all the legal voters living in the above named school district and returning real or personal prop-

Notice to be given.

erty therein: *Provided*, That public notice of said meetings, specifying the time, place and object, shall be given at least ten days before said meeting by posting the same in three conspicu-

ous places in the said school district, and by publishing the same at least twice in one of the newspapers having the largest circulation in the said school district. The persons answering the above designations when thus assembled shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of the said meeting shall within one week thereafter notify the Chairman of said Board of Trustees and the County Auditor of Hampton County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer of said County shall collect such tax with the other taxes for the same year, and said tax shall be liable to like process and penalty as are State and County taxes.

Powers of meeting.

Tax and its repeal.

Notification, assessment and collection of tax

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF ESTIL, IN HAMPTON COUNTY.

No. 190.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or may hereafter be inhabitants of the town of Estil shall be deemed, and are hereby declared to be, a body politic and corporate; and the limits shall extend one mile in every direction from the passenger depot of the South Bound Railroad in said town.

Incorporation.

Limits.

SEC. 2. That said town of Estil shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885: *Provided*, No spirituous or intoxicating liquors shall be sold within the corporate limits of said town.

Rights and limitations.

19 Stat., 174.

Sale of liquors.

SEC 3. That this Act shall be a public Act, and shall continue in force for fourteen years from the date of its passage, and

Public Act.

A. D. 1892. Duration. until the final adjournment of the General Assembly next thereafter.

Approved December 24th, A. D. 1892.

No. 191. AN ACT TO AUTHORIZE THE TOWN COUNCIL OF HAMPTON TO ISSUE BONDS FOR PERMANENT IMPROVEMENT IN SAID TOWN.

SECTION 1, *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Hampton shall have power, and are hereby authorized, to issue bonds of said town on or before the first day of November, 1893, not to exceed the amount of ten thousand dollars, for the purpose of creating, constructing and maintaining permanent public improvements and educational purposes in said town of such a nature as said Town Council may determine; said bonds to be issued in such denominations as said Town Council may deem best, and to be payable twenty years from date thereof, with interest payable annually, at the rate of not more than 8 per cent. per annum, and the coupons for said interest, when due, to be receivable in payment of all taxes levied by or due to said town: *Provided*, That a majority of the freehold voters of said town shall first sign a petition requesting an election to be held therefor, which election shall be decided by a majority of the votes cast.

Bonds authorized. Limit. Purposes. Description of bonds. Coupons receivable for taxes. Proviso as to election.

SEC. 2. That said Town Council shall turn over said bonds, when so issued, to the Treasurer of said town, upon his execution of a good and sufficient bond, and shall be by him sold: *Provided*, That said bonds shall not be sold for less than par value.

Sale of bonds. Price.

SEC. 3. That money arising from the sale of said bonds be used exclusively for the purposes set out in Section 1 of this Act, and to this end shall be expended under the direction and control of the said Town Council; and should any of said bonds be not sold by said Treasurer, the same shall be returned to the said Town Council, and by it cancelled.

Expenditure of proceeds. Cancellation.

SEC. 4. That the said town shall, semi-annually, at such time and place as they shall fix and determine, pay the interest due on said bonds; and for this purpose the said Town Council, in

Payment of interest.

addition to the powers already conferred, shall, and they hereby are, authorized and required to levy such tax upon the real and personal property assessed for taxation in the said town as may be deemed necessary to pay the interest on said bonds which may become due in each and every year until the whole of said bonds be paid. A. D. 1892. Annual tax.

SEC. 5. All Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 6. This Act shall take effect immediately after its approval by the Governor. When to take effect.

Approved December 20th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF SCOTIA, IN HAMPTON COUNTY. No. 192.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Scotia shall be deemed, and are hereby declared to be, a body politic and corporate, and that the said town shall be known by the name of Scotia, and the limits shall be one mile in every direction from the depot of the South Bound Railroad in said town, so that the limits shall form a circle. Incorporation. Name and limits.

SEC. 2. Said town of Scotia shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act. Duration.

SEC. 4. This Act shall take effect immediately upon its approval. When to take effect.

Approved December 19th, A. D. 1892.

A. D. 1892.

No. 193.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF VARNVILLE TO ISSUE BONDS FOR PERMANENT IMPROVEMENT IN SAID TOWN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Varnville shall have power, and are hereby authorized, to issue bonds of said town on or before the first day of November, 1893, not to exceed the amount of seven thousand dollars, for the purpose of creating, constructing and maintaining permanent public improvements in said town of such a nature as said Town Council may determine; said bonds to be issued in such denominations as said Town Council may deem best, and to be made payable twenty years from date thereof, with interest payable annually, at the rate of not more than 8 per cent. per annum, and the coupons for said interest when due, to be receivable in payment of all taxes levied by or due to said town.

Bonds authorized.

Limit and purposes.

Description.

Coupons receivable for taxes.

Sale of bonds.

SEC. 2. That said Town Council shall turn over said bonds when so issued to the Treasurer of said town upon his execution of a good and sufficient bond, and shall be by him sold: *Provided,* That said bonds shall not be sold for less than their par value.

Price.

Expenditure of proceeds.

SEC. 3. That the money arising from the sale of said bonds be used exclusively for the purposes set out in Section one of this Act, and to this end shall be expended under the direction and control of the said Town Council; and should any of said bonds be not sold by said Treasurer, the same shall be returned to the said Town Council and by it cancelled.

Cancellation.

Payment of interest.

SEC. 4. That the said town shall semi-annually, at such time and place as they shall fix and determine, pay the interest due on said bonds; and for this purpose the said Town Council, in addition to the powers already conferred, shall, and they hereby are, authorized and required to levy such tax upon the real and personal property assessed for taxation in the said town as may be deemed necessary to pay the interest on said bonds which may become due in each and every year until the whole of said bonds be paid.

Annual tax.

Repealing clause.

SEC. 5. All Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 6. That this Act shall take effect immediately after its approval by the Governor.

Approved December 15th, A. D. 1892.

AN ACT TO INCORPORATE THE SAVANNAH RIVER ASSOCIATION ACADEMY, OF HAMPTON COUNTY.

A. D. 1892.

No. 194.

Whereas a number of the citizens of the County of Hampton did, for the purposes of securing educational advantages, form themselves into an organization under the name of Savannah River Association Academy, and elect the persons hereinafter named as Trustees. *And whereas* the said Association has acquired certain property in the County of Hampton to be used for school purposes. *And whereas* the persons so organized authorized John G. Williams, J. M. Bostick, J. T. Morrison, W. V. Lanier, W. H. Mauldin, John Lawton, E. W. Peeples, A. McB. Speaks, W. O. Thomson, A. C. Mekins, F. Jones, G. W. Morrall and R. T. Causey, persons elected by them as Trustees of the Savannah River Association Academy, to secure necessary legislation for incorporation for the control of the said property and for carrying on the purposes of the Association; now, therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John G. Williams, J. M. Bostick, J. T. Morrison, W. V. Lanier, W. H. Mauldin, John Lawton, E. W. Peeples, A. McB. Speaks, W. O. Thomson, A. C. Mekins, F. Jones, G. W. Morrall and R. T. Causey, their associates and successors, are hereby declared to be a body corporate by the name and style of the Savannah River Association Academy, located at or near Varnville, Hampton County, State of South Carolina. Incorporation. Name and location.

SEC. 2. That the said corporation shall power in its corporate name to sue and be sued, plead and be impleaded, in any of the Courts of law in this State; to hold real and personal property acquired, and in respect to all such real and personal property now acquired, or hereafter to be acquired, to have and to enjoy every right and privilege, power and franchise incident and belonging to incorporate bodies; to take and hold by donation, bequest or purchase real and personal property for the benefit and use of the Savannah River Association Academy, not exceeding fifty thousand dollars; to have a seal and to make all such by-laws for the government of such corporation as may be deemed necessary, not inconsistent with the laws of the State. Powers and property rights. Limit. Seal and by-laws.

SEC. 3. That the said corporation shall have power to elect and appoint all officers, professors and teachers, and to remove them Officers and teachers.

A. D. 1892.

Regulations. Studies. Degrees.

at discretion, and to fill such vacancies as may occur; to provide rules and regulations to govern the conduct of officers, professors, teachers and students; and a course of studies to be pursued by the students; to confer degrees and award diplomas, and such other honorary distinctions to graduates and honorary distinctions to others not graduates as are common to colleges of similar grade.

Approved December 24th, A. D. 1892.

No. 195. AN ACT TO FIX THE AGES, LIABILITY AND COMMUTATION TAX OF PERSONS LIABLE TO ROAD DUTY IN HORRY COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act every male citizen in Horry County between the ages of twenty-one and fifty years who is capable of earning a livelihood by manual labor shall be required to work on the public roads in said County six full days in each year, or to pay a commutation road tax of two dollars in lieu of working on said roads.

Age of road workers. Number of days. Commutation tax.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 15th, A. D. 1892.

No. 196. AN ACT TO CHANGE NAME OF CHARLES EDWIN GRANGER, OF HORRY COUNTY, TO CHARLES EDWIN STEVENSON, AND ENABLE HIM TO INHERIT FROM BENJAMIN PUERIFOY STEVENSON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the anthority of the same, That the name of Charles Edwin Granger, of Horry County, be, and the same is hereby, changed to Charles Edwin Stevenson, and that

Name changed.

in case the said Benjamin Puerifoy Stevenson shall die intestate the said Charles Edwin Stevenson shall inherit from him in the same manner as if he had been born his legal heir. A. D. 1892. Enabled to inherit.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE JOHNSON NAVIGATION AND MANUFACTURING COMPANY, OF HORRY COUNTY. No. 197.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles L. Johnson and his associates be incorporated under the name of Johnson Navigation and Manufacturing Company. Incorporation and name.

SEC. 2. That the said corporation shall, for the period of twenty-one years, have the exclusive right to open and keep open, navigate and use, for the purpose of floating timber and logs, Bug Swamp, in Horry County, from Tyler's Mill to the confluence of said Swamp with White Oak Swamp; the said White Oak Swamp from Stephens Mill to the confluence of said Swamp with Kingston Lake; the said Kingston Lake from the Manning Road crossing to the Williams Road crossing; Camp Swamp from the confluence of said Swamp with Kingston Lake to a proposed canal on the lands of said Charles L. Johnson; the said proposed canal to Mill Branch; and said Mill Branch from said proposed canal to the confluence of said Branch with Waccamaw River, all in Horry County aforesaid. Right of navigation. Route granted.

SEC. 3. That the said corporation shall have the right to grant the use of said streams and canal, or any part thereof, to others, and to demand, take and recover toll therefor, payable in advance, said tolls not to exceed the following rates, to wit: On all timber, hewn or unhewn, floated or rafted thereon, ten cents (10 c.) per stick or log for each mile the same shall be so floated or rafted. Grant of use. Tolls.

SEC. 4. That the said corporation shall have power to make all by-laws, rules and regulations necessary for the proper conduct of its business, not in conflict with the laws and Constitution of this State. By-laws.

SEC. 5. Provided that no exclusive use of any stream which Grant not exclusive.

A. D. 1892.

is now navigable for flats and rafts shall be granted to said corporation by this Act; and such streams so navigable now shall be free to such craft hereafter.

Approved December 24th, A. D. 1892.

NOTE.—For Act authorizing County Commissioners of Horry to use surplus funds, see Act No 91, ante p. 157.

For Act fixing compensation of County Board of Equalization and Township Assessors, in Horry County, see Act No. 98, ante p. 167.

For Act relating to hunting, &c., in Horry County, see Act No. 112, ante p. 179.

No. 198. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE PAYMENT OF SALARIES TO THE SHERIFF AND CLERK OF THE COURT OF COMMON PLEAS AND GENERAL SESSIONS AND THE SCHOOL COMMISSIONER OF KERSHAW COUNTY," APPROVED DECEMBER 24TH, A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to provide for the payment of salaries to the Sheriff and Clerk of the Court of Common Pleas and General Sessions and the School Commissioner of Kershaw County," approved December 24th, A. D. 1891, be, and the same is hereby, amended by striking out all after the word "costs" on the fourth line thereof down to the end of said Section, and inserting the following in lieu thereof, viz.: "heretofore required by law to be paid by the County." So that said Section, as amended, shall read as follows:

A. A. 1890, § 2, 20 Stat., 1891, amended.

Salary to Clerk.

SECTION 2. That the Clerk of the Court of Common Pleas and General Sessions for the County of Kershaw shall receive an annual salary of two hundred dollars, which shall be in lieu of all fees and costs heretofore required by law to be paid him out of County funds.

Section 4 amended.

SEC. 2. That Section 4 of said Act be, and the same is hereby, amended by striking out the words "civil and" on the fourth line thereof, and the words "and fees collected as Register of Mesne Conveyance" on the third and fourth lines thereof. So that said Section, as amended, shall read as follows:

Fees and costs to be turned over.

SECTION 4. That all fees and costs in criminal cases collected by the Sheriff and Clerk of the Court of Common Pleas and

General Sessions for said County, except dieting fees, shall be paid over by them, or either of them, to the County Treasurer of said County. A. D. 1892.

SEC. 3. That this Act take effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION REMITTING TO THE SHERIFF AND CLERK OF COURT OF KERSHAW COUNTY, RESPECTIVELY, CERTAIN FEES IN CIVIL CASES. No. 199.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all fees in civil cases required by the Act approved December 24th, 1891, entitled "An Act to provide for the payment of salaries to the Sheriff and Clerk of the Court of Common Pleas and General Sessions and the School Commissioner of Kershaw County," to be paid over by the Sheriff and Clerk of Court of the County of Kershaw to the County Treasurer, not already so paid over by them, are hereby remitted to the said Sheriff and Clerk respectively, and they are discharged from further liability for the same. Fees heretofore ordered to be turned over. 20 Stat., 1308. And not paid, remitted.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE SCHOOL COMMISSIONER OF KERSHAW COUNTY TO PAY FRANCES J. HALL, R. W. HAMMOND, J. M. SOWELL, HANNAH HARRIS AND W. A. BAKER FOR SERVICES RENDERED AS TEACHERS IN THE PUBLIC SCHOOLS OF SAID COUNTY. No. 200.

Whereas Frances J. Hall, R. W. Hammond, J. M. Sowell, Hannah Harris, W. A. Baker and Lizzie K. Gaylard were engaged as teachers in the public schools of Kershaw County during the fiscal year 1890–'91 by the Trustees of their respective Preamble.

A. D. 1892.

school districts, and, the school funds for said districts being exhausted, they were not paid for such services:

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Warrants to be drawn.

School Commissioner of Kershaw County be, and he is hereby, authorized and required to draw his warrant upon the County

To L. K. Gaylard.

Treasurer of Kershaw County in favor of Lizzie K. Gaylard, the

J. M. Sowell.

sum of $16.00, for services as teacher in District Number 4; J. M. Sowell, for the sum of forty 5-100 ($40.05) dollars, for services as teacher in School District No. 7 for the months of December, 1890,

F. J. Hall.

and January and February, 1891; in favor of Frances J. Hall, for services as teacher in School District No. 5 for month of January, 1891, for the sum of twenty-six ($26.00) dollars; in favor of

Hannah Harris.

Hannah Harris, for services as teacher in School District No. 11 for the month of January, 1891, for the sum of twenty ($20.00)

R. W. Hammond.

dollars; and in favor of R. W. Hammond, for services as teacher in School District No. 5 for month of February, 1891, for the sum of nine 65-100 ($9.65) dollars; and the said County Treasurer is hereby authorized and directed out of any unexpended

County Treasurer to pay.

balance on hand for the respective school districts aforesaid, and if no such balance remain to the credit of the respective districts, then out of the funds collected for and placed to credit of said school districts from the taxes collected during the fiscal year 1892–'93.

Approved December 24th, A. D. 1892.

No. 201. AN ACT TO AUTHORIZE THE ISSUE OF BONDS BY SCHOOL DISTRICT NUMBER ONE OF KERSHAW COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Bonds authorized.

School District Number One (1) of the County of Kershaw is hereby permitted and authorized to issue ten thousand dollars

Purpose.

($10,000,00) of bonds, or a less amount, for the purpose of erecting and furnishing suitable school buildings in said School

Rate of interest.

District, said bonds to bear interest at a rate not exceeding seven

Election.

per centum (7%) per annum: *Provided*, That a majority of the

qualified voters of said school district shall be in favor of such issue, as expressed at an election held for that purpose. A. D. 1892.

SEC. 2. That the Trustees of said school district are hereby required, upon the united request of twenty (20) freeholders within said school district, to order an election on the question of issuing said bonds, and to give three weeks' notice of such an election, and they shall appoint the managers, receive the returns and declare the result of such election. Election to be ordered. Notice. Managers.

SEC. 3. That said school district is hereby declared to be a body politic and corporate for the purpose of issuing said bonds, which, when issued, shall be signed by the Chairman of the Board of Trustees for said school district, shall run for a period of ten years, the coupons thereof to be receivable for all taxes in said school district, and they shall constitute a first lien on all property which may be improved from their proceeds, and shall be non-taxable for State and County purposes in the hands of their holders. Incorporation. Execution and description. Coupons receivable for taxes. Lien. Non-taxable.

SEC. 4. That for the purpose of paying the interest on said bonds, and the principal when due, it shall be the duty of the County Auditor of Kershaw County, or such other officer as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and levy the same on all the real and personal property in said school district, and the amount so levied shall be collected by the County Treasurer of the County of Kershaw, and held by him for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatsoever. Annual tax levy. Collection.

SEC. 5. That this Act shall take effect on the day of its approval, and that all Acts and parts of Acts inconsistent therewith are hereby repealed. When to take effect. Repealing clause.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO CHANGE THE NAME OF THE KERSHAW COUNTY MANUFACTURING COMPANY. No. 202.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the Kershaw County Manufacturing Company, a cor- Name changed.

A. D. 1892.

poration organized under the General Statutes in the County of Kershaw, be, and the same is hereby, changed to that of the Camden Cotton Mills; the rights and liabilities of the said company remaining otherwise unchanged.

Rights and liabilities.

Consolidation of stock.

SEC. 2. That the said company be, and is hereby, authorized to consolidate its capital stock into shares of the par value of fifty ($50.00) dollars each.

Public Act.

SEC. 3. That this Act be deemed a public Act.

Approved December 15th, A. D. 1892.

No. 203. AN ACT TO DEFINE AND DECLARE THE BOUNDARY LINES BETWEEN THE COUNTIES OF KERSHAW AND LANCASTER IN THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the boundary lines between the Counties of Kershaw and Lancaster shall be as follows: Beginning at a point on Catawba River ½ mile above Peay's Ferry, thence North 54 E. 9 miles 62 chains to stone corner near Russell Place; thence N. 74 E. 1 mile 37 chains and 50 links to corner at Hammond's Spring 75 feet left; thence N. 48 E. 2 miles 63 chains to stone corner near Hanging Rock Bridge; thence South along the Salisbury Road 4 miles 16 chains to corner near Bethel Church; thence N. 66 E. 14 miles 76 chains 16 links to Lynches' River, separating Chesterfield from Kershaw and Lancaster Counties.

Boundary lines designated.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to Peay's Ferry on the Catawba River, in Kershaw and Fairfield Counties, see Act No. 162, ante p. 246.

No. 204. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE DRAWING AND TERM OF SERVICE OF JURORS IN THE COUNTY OF LANCASTER," SO AS TO PROVIDE FOR ONLY ONE JURY FOR EACH TERM OF COURT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That all after the enacting clause of Section 1 of an Act entitled "An Act to regulate the drawing and term of service of jurors in the County of Lancaster" be, and the same is hereby, stricken out and the following inserted in lieu thereof: That for each of Spring and Fall Terms of the Court of Common Pleas and General Sessions for the County of Lancaster thirty-six jurors shall be chosen in the manner provided by law, to serve during the whole term.

A. D. 1892.

A. A. 1891, 20 Stat., 1896, amended.

Jury to be drawn for whole term.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF LANCASTER COUNTY TO REFUND TO SCHOOL DISTRICT NUMBER 10 OF SAID COUNTY SIXTY-FIVE DOLLARS ($65) COLLECTED BY HIM IN THE YEAR 1889 AND NOT PAID TO SAID DISTRICT. No. 205.

Preamble.

Whereas in the year A. D. 1889 the County Treasurer of Lancaster County collected on school fund from persons residing in School District Number 10 of Lancaster County and by mistake paid the same to other school districts and none to School District Number 10; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Lancaster County, out of the general school fund in his hands for said County, be authorized and required to pay to the Chairman of the Board of Trustees for said School District No. 10, upon the said Chairman's warrant on said Treasurer, countersigned by the School Commissioner of said County, the sum of sixty-five dollars, and take his receipt therefor.

School District No. 10 to be paid $65.

Approved December 24th, A. D. 1892.

AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT AN ADDITIONAL TRIAL JUSTICE IN THE COUNTY OF LAURENS. No. 206.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892. General Assembly, and by the authority of the same, That the Governor be, and he hereby is, authorized and empowered to Governor to appoint. appoint one Trial Justice for the County of Laurens, in addition to the number now allowed by law for said County.

Location. SEC. 2. That said Trial Justice, when so appointed, shall reside and hold office in the Township of Dial.

Compensation. SEC. 3. That the compensation for the services of said Trial Justice and his Constable shall be fifty dollars each per annum in full for all criminal cases.

Approved December 15th, A. D. 1892.

No. 207. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT IN A PORTION OF THE TOWNSHIPS OF SCUFFLETOWN, YOUNG AND LAURENS, IN THE COUNTY OF LAURENS, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1, after the enacting words of an Act entitled "An Act to establish a new school district in a portion of the townships of Scuffletown, Young and Laurens, in the County of Laurens, and to authorize the levy and collection of a school tax therein," be, and the same is hereby, repealed, and the following inserted in lieu thereof as Section 1:

A. A. 1891, 20 Stat., 1412, amended.

Area and boundaries. SECTION 1. That for the purpose of maintaining a public school in a portion of Scuffletown, Young and Laurens Townships, in the County of Laurens, in this State, the area embraced in the following lines and boundaries, to wit: Beginning at Ora, in said County, as a central point, thence East one and one-half (1½) miles, thence North two (2) miles to Warrior Creek, thence South four miles (4) miles, and thence North three and one-quarter (3¼) miles to Warrior Creek, then down said creek to the Northeast corner on said creek, shall be, and the same is hereby, declared to be a separate school district.

Established.

Approved December 15th, A. D. 1892.

A JOINT RESOLUTION TO REQUIRE THE SCHOOL COMMISSIONER OF LAURENS COUNTY TO DRAW HIS WARRANT UPON THE TREASURER OF SAID COUNTY, AND THE SAID TREASURER TO PAY SAME, IN FAVOR OF H. A. JOHNSON, M. I. CLARDY, M. C. SIMMONS AND F. M. BAILEY, ASSIGNEE OF M. T. ALLISON.

A. D. 1892.
No. 208.

Preamble.

Whereas, H. A. Johnson was engaged as a teacher in the public schools of Laurens County by the Trustees of School District No. 4 and was not paid for his services for the month commencing April 18th, 1890, as the school fund for said district was exhausted; that M. I. Clardy was also engaged as a teacher in School District No. 5 in said County by the School Trustees and was not paid for the month commencing March 31st, 1890, for the reasons aforesaid; that M. C. Simmons was engaged as teacher in School District No. 5 by the School Trustees therefor and was not paid for the month commencing April 12th, 1890, for the reasons aforesaid; that W. T. Allison was engaged as a teacher by the School Trustees of School District No 1 in said County and was not paid for the same reasons for the month commencing April 7th, 1890.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State or South Carolina, now met and sitting in General Assembly, and by authority of the same, That the School Commissioner of Laurens County be, and he is hereby, authorized to draw his several warrants upon the County Treasurer of said County, that is to say, a warrant in favor of the said H. A. Johnson, in the sum of twelve 50-100 dollars; in favor of M. I. Clardy, in the sum of twelve 50-100 dollars; in favor of M. C. Simmons, in the sum of twelve 50-100 dollars; and in favor of M. S. Bailey, Assignee of M. T. Allison, in the sum of thirty dollars, and that the said County Treasurer do pay the same out of any funds in his hands for school purposes in the respective districts aforesa d.

School Commissioner to draw warrants.

Persons and amounts.

Payment.

Approved December 15th, A. D. 1892.

NOTE.—For Act incorporating Ware's Shoal Manufacturing and Power Company, see Act No. 89, ante p. 152.

For Act authorizing County Commissioners of Laurens County to use surplus funds, see Act No. 91, ante p. 157.

For Act establishing Princeton School District, partly in Laurens County, see Act No. 184, ante p. 276.

A. D. 1892.

No. 209.

AN ACT TO PROVIDE FOR MAKING AND MAINTAINING NEIGHBORHOOD PASTURES IN LEXINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever any number of citizens, land owners of Lexington County, owning contiguous tracts of land, shall enter into a written agreement under their hands and seals, in presence of two witnesses, setting forth their intention to voluntarily establish upon their own lands a neighborhood pasture, and the boundaries thereof, and shall have the same duly recorded in the office of the Register of Mesne Conveyances for Lexington County in the book for recording deeds, and shall build and maintain on said boundaries a good and lawful fence, the area so enclosed shall be exempt from the operations of Chapter XXVII of the General Statutes of this State, known as the "General Stock Law," so that the land owners within such boundaries shall fence their farms, and permit their stock to run at large.

Form of agreement.

To be recorded.

Fences.

Exemption from stock law.

Change in size.

SEC. 2. That any neighborhood pasture established as aforesaid may be enlarged or diminished by an additional agreement executed and recorded as aforesaid.

Duration of pasture.

SEC. 3. That no such pasture established as aforesaid shall be discontinued so long as the contractors, or their grantees, keep a good substantial fence around the boundaries thereof, and so long as a majority of the land owners within the boundaries thereof desire that the pasture be continued.

Subsequent purchasers.

SEC. 4. That all persons buying lands situate in any such pasture, of or through the original contractors, shall be bound by the terms of this Act as the original parties to the agreement.

Approved December 22nd, A. D. 1892.

No. 210.

AN ACT TO AMEND SECTIONS 1, 2 AND 3 OF AN ACT ENTITLED "AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF LEXINGTON COUNTY AND THE CITY COUNCIL OF THE CITY OF COLUMBIA TO PURCHASE THE TWO BRIDGES KNOWN AS THE BROAD RIVER BRIDGE AND CONGAREE BRIDGE, NEAR THE CITY OF COLUMBIA, OR TO ERECT OTHER BRIDGES ACROSS THE CONGAREE AND BROAD RIVERS."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to authorize the County Commissioners of Lexington County and the City Council of the city of Columbia to purchase the two bridges known as the Broad River Bridge and the Congaree Bridge, near the city of Columbia, or to erect other bridges across the Congaree and Broad Rivers," approved 24 Dec., 1889, be amended by striking out the provisos to Section 1, and inserting in lieu thereof the following provisos to said Section one: "*Provided*, That in case both of said bridges cannot be bought for such price as the said County Commissioners and said City Council shall deem fair and reasonable, then the said County Commissioners and the said City Council may contract provisionally for the purchase of that one of the said bridges which can be so purchased, and for the erection of a new bridge over the river which is now spanned by the existing bridge which cannot be so purchased. Or if neither of said bridges can be purchased at such price as is deemed fair and reasonable by said County Commissioners and said City Council, they may contract provisionally for the erection of new bridges over both of said rivers: *Provided, further*, That should the said County Commissioners and the said City Council deem it inexpedient to purchase or erect bridges over both of said rivers, that they may contract provisionally for the purchase or erection of a bridge over one of said rivers: *Provided, further*, That the total cost of the purchases and erections, as hereinbefore referred to, shall not exceed the sum of fifty thousand dollars." So that said Section as amended shall read as follows:

A. D. 1892.

A. A. 1889, 20 Stat., 549, amended.

Substituted proviso.

SECTION 1. That the County Commissioners for the County of Lexington and the City Council of the city of Columbia be, and they are hereby, authorized to contract provisionally for the purchase of either or both of the two bridges near the city of Columbia, the one across Broad River, known as the Broad River Bridge, and the other across the Congaree River, known as the Congaree Bridge, to be paid for, in such proportions as are hereinafter specified, by the City of Columbia, and Lexington County, as may be voted therefor, under the provisions of this Act: *Provided*, That in case both of said bridges cannot be bought for such price as the said County Commissioners and said City Council shall deem fair and reasonable, then the said County Commissioners and the said City Council may contract provisionally for the purchase of that one of said bridges which can be so purchased, and for the erection of a new bridge over the

Provisional contract for purchase of bridge or bridges.

Purchase of one only.

Erection of new bridge or bridges.

A. D. 1892.

river which is now spanned by the existing bridge which cannot be so purchased. Or if neither of said bridges can be purchased at such price as is deemed fair and reasonable by said County Commissioners and said City Council, they may contract provisionally for the erection of new bridges over both of said rivers:

Maintenance of only one bridge.

Provided, further, That should the said County Commissioners and the said City Council deem it inexpedient to purchase or erect bridges over both of said rivers, that they may contract provisionally for the purchase or erection of a bridge over one of

Limit to cost.

said rivers: *Provided, further,* That the total cost of the purchases and erections hereinbefore referred to shall not exceed the sum of fifty thousand dollars.

Section 2 amended.

SEC. 2. That Section 2 of said Act be, and the same is hereby, amended by inserting on line five, after the word "bridges," the words "or either of them;" on line seven, by inserting after the word "bridges" and before the word "which" the words "or either of them;" on line twenty, by striking out the word "four-fifths" after the word "*Provided,*" and inserting in lieu thereof the word "majority;" and on the twenty-fourth line by striking out the word "four-fifths" and inserting the word "majority" in lieu thereof; and on line fifteen, Section 2, after the word "2-100" and before "and" insert the following: "*Provided,* one-third of the actual resident male freeholders of the said County of Lexington, to be ascertained from the Auditor's books, shall first petition said Commissioners to order said election." So that Section, when amended, shall read as follows:

To be voted on by Lexington County.

SEC. 2. That before such contract shall become binding the County Commissioners of the County of Lexington shall submit to the qualified voters of said County, which is hereby created a body politic and corporate for the purposes of this Act, the question of purchasing said bridges or either of them and of issuing

Lexington to pay one-third.

bonds of said County to an amount eqnal to one-third of the price agreed to be paid for said bridges or either of them, which said one-third shall be apportioned among the townships in said

Apportionment to townships.

County as follows: To Fork Township, 14-100; to Congaree Township, 14-100; to Lexington Township, 11-100; to Sandy Run Township, 11-100; to Platt Springs Township, 10-100; to Bull Swamp Township, 8-100; to Saluda Township, 6-100; to Broad River Township, 6-100; to Boiling Springs Township, 6-100; to Hollow Creek Township, 5-100; to Gilbert Hollow Township, 5-100; to Chinquapin Township, 2-100; to Black Creek Township, 2-100: *Provided,* One-third of the actual resi-

A. D. 1893.

dent male freeholders of the said County of Lexington, to be ascertained from the Auditor's books, shall first petition said Commissioners to order such election, and the City Council of the city of Columbia shall likewise submit the question of purchasing said bridges or either of them and of issuing bonds of the said city to an amount equal to two-thirds of the price agreed to be paid for said bridges or either of them to the qualified voters of said city: *Provided*, A majority of the actual resident male freeholders of the city of Columbia, to be ascertained from the books of the Auditor of Richland County, shall first petition said Council to call such election, and the said City Council shall determine whether a majority of the resident male freeholders of the city have signed the said petition; and the said County Commissioners of the County of Lexington and the City Council of the city of Columbia shall respectively order elections to be held in the said city of Columbia and County of Lexington, specifying the time and purpose of the election, which shall be held at the usual voting precincts for the respective city and County, and they shall respectively for the said County and city appoint their managers for every election precinct, who shall, without compensation, hold and conduct said elections, at which election the ballots shall have written or printed thereon either the words "for bridges" or the words "against bridges." Notice of the election in the city of Columbia shall be published in one newspaper published in the city of Columbia for one month prior to such election, and notices of the election to be held in the County of Lexington shall be published for the same period in one newspaper published in said County, in all of which notices the amount to be paid for said bridges shall be stated, and the amount to be subscribed by the said city of Columbia and County of Lexington. At such election registration of voters shall not be required, but such voters shall possess all other qualifications now required by law for voters at general elections. It shall be the duty of the managers in the County of Lexington to count the votes at their respective precincts and make their return to the County Commissioners, who shall receive and tabulate the same and declare the result, which result shall be certified to as correct by said County Commissioners and filed in their office; and it shall be the duty of the managers appointed by the City Council of the city of Columbia to count the votes at their respective voting precincts in said city, and make their returns to the City Council, who shall receive and tabulate the same and

Prior petition.

To be voted on by Columbia.

To pay two-thirds.

Prior petition.

Elections to be ordered.

Conduct of election.

Form of ballots.

Notice to be given.

Contents of notice.

Electors.

Declaration of result in Lexington.

In Columbia.

A. D. 1892.

Contests.

declare the result, which shall be certified to as correct by said City Council and filed in their office. Contests in such elections shall be heard and determined by the Board of County Commissioners of Lexington County and the City Council of Columbia, respectively.

Favorable vote.

In case a majority of the ballots cast in such elections in said city and County shall have the words "free bridges" written or printed thereon, said city and County shall be held to have voted in favor of the purchase or erection of said bridges; otherwise they shall be held to have voted against the same:

To be approved by both elections.

Provided, That the vote so taken in the County of Lexington and the city of Columbia shall be construed as applying only to the question of the purchase or erection of the said bridges. If the city of Columbia shall vote in favor of two-thirds, and the County of Lexington one-third of the amount agreed to be paid for either or both of said bridges, according to the amounts specified,

Vote to determine contract.

shall also vote in favor thereof, the contract so previously entered into shall be affirmed as to either or both of the said bridges accordingly as the vote may be; otherwise it shall be void.

Section 3 amended.

SEC. 3. That Section 3 of said Act be, and the same is hereby, amended by striking out on line six the word "two-thirds" after the word "to" and before the word "of," and inserting in lieu thereof the word "one-third." So that, as amended, said Section shall read:

Issue of coupon bonds by Lexington.

SECTION 3. That in case such provisional contracts, or either of them, shall be affirmed as hereinbefore provided for, the County Commissioners for Lexington County shall execute in the name of said County coupon bonds, payable to bearer, maturing

Description.

in twenty years, bearing interest at the rate of six per centum per annum, payable annually, to an amount to one-third of the price agreed to be paid for either or both of said bridges, accordingly as the contracts therefor may have been affirmed at said elections, as hereinbefore provided for. And the City Council of the city

Issue of bonds by City of Columbia.

of Columbia shall in like manner execute the bonds of said city equal to two-thirds of the price agreed to be paid for either or both of said bridges, accordingly as the contract therefor may have been affirmed at said elections as hereinbefore provided.

Description.

The bonds issued by the City Council to be similar in form and maturity to those issued by the County of Lexington.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF SWANSEA, IN LEXINGTON COUNTY. A. D. 1892.

No. 211.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or who may hereafter be, inhabitants of the town of Swansea, in Lexington County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of "Swansea," and the limits shall extend one-half mile in every direction from the depot now known as Swansea on the line of the South Bound Road in said County. Incorporation. Name and limits.

SEC. 2. That said town of Swansea shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns less than one thousand inhabitants in this State," approved December 23, 1885: *Provided*, That no spirituous or malt liquors shall be sold within the corporate limits of said town. Any person convicted of violation of this Section shall be fined in a sum not exceeding one hundred dollars, or imprisoned not more than thirty days. Rights and limitations. 19 Stat., 174. Sale of liquors prohibited.

SEC. 3. That this Act shall be deemed a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter. Public Act. Duration.

SEC. 4. This Act shall take effect immediately on its approval. When to take effect.

Approved December 19th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF SUMMIT, IN LEXINGTON COUNTY. No. 212.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the State who now are or hereafter may be inhabitants of the town of Summit, in Lexington County, shall be deemed, and are hereafter declared to be, a body politic and corporate; and that said town shall be known by the name of Summit, and Incorporation. Name and limits.

A. D. 1892.

the limits shall extend three-quarters of a mile North, South, East and West from where Summit Avenue crosses the Charlotte, Columbia and Augusta Railroad as a centre, so that the limits shall form a square.

Rights and limitations.

SEC. 2. Said town of Summit shall be vested with all the rights, powers and privileges granted by, and subject to all the limitations and provisions contained in, an Act entitled "An Act to provide and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

19 Stat., 174.

Public Act.

Duration.

SEC. 3. That this Act shall be a public Act, and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly thereafter.

Liquor licenses prohibited.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Summit, in the County of Lexington.

When, to take effect.

SEC. 5. This Act shall take effect immediately upon its approval.

Approved December 15th, A. D. 1892.

No. 213. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT UPON THE STATE TREASURER IN FAVOR OF THE ADJUTANT AND INSPECTOR-GENERAL FOR THE SUM OF $216.00, TO BE USED BY HIM IN PAYMENT OF SERVICES RENDERED BY THE LEXINGTON RIFLES IN GUARDING THE JAIL OF LEXINGTON COUNTY, AND TO REQUIRE THE STATE TREASURER TO PAY SAID SUM.

Preamble.

Whereas the Lexington Rifles of Lexington County were ordered by his Excellency the Governor to guard the jail of said County; and, *whereas*, said company rendered the services ordered, and are entitled to receive therefor the sum of two hundred and sixteen dollars, which has not been paid.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General is hereby authorized and directed to draw

his warrant upon the State Treasurer for the sum of two hundred and sixteen dollars in favor of the Adjutant and Inspector-General, to be disbursed by him to the Lexington Rifles of Lexington County for services rendered in guarding the jail of said County, upon presentation of a verified itemized statement of said services. A. D. 1892. Adjutant and Inspector General to receive and disburse $216.

SEC. 2. The State Treasurer is authorized to pay said warrant when so drawn from any funds in his hands. Payment.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO DIRECT AND AUTHORIZE THE COUNTY SCHOOL COMMISSIONER OF LEXINGTON COUNTY TO DRAW HIS WARRANT UPON THE COUNTY TREASURER OF SAID COUNTY IN FAVOR OF G. M. HARMAN, FOR THE PUBLICATION OF THE POLL LIST, AS REQUIRED BY LAW, FOR THE SUM OF TWO HUNDRED AND SEVENTY-ONE AND 42-100 ($271.42) DOLLARS, AND TO REQUIRE THE TREASURER TO PAY SAME. No. 214.

Whereas G. M. Harman, editor and proprietor of the Lexington Dispatch, has published in said newspaper the poll lists of the school districts in Lexington County, by direction of the School Commissioner of said County, and the charges for said publication amount to two hundred seventy-one and 42-100 dollars. Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Lexington County be, and is hereby, authorized and directed to draw his warrant in favor of G. M. Harman, in payment of the publication of the poll lists of the school districts of Lexington County, for the sum of two hundred seventy-one and 42-100 ($271.42) dollars, and that the County Treasurer pay same out of any funds in his hands. Warrant to be drawn. And paid.

Approved December 22nd, A. D. 1892.

NOTE.—For an Act which seems to relate in part to the County Treasurer of Lexington County, see post Act No. 225.

A. D. 1892.

No. 215.

AN ACT TO PROHIBIT THE USE OF NEIGHBORHOOD PASTURES OR COMMUNITY PASTURES IN MARION COUNTY BY OTHERS THAN LAND OWNERS THEREIN OR CONTRIBUTORS TO THE FENCES THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act it shall be unlawful for any person to turn any live stock, or to cause any live stock to be turned, into any neighborhood or community pasture in Marion County exempted by special Act or Acts from the operation of the General Stock Law, except such persons be at the time the owner in fee, or for life, or for a term of years, of any land within the limits of such pasture, or be at that time a joint builder of or contributor to the erection and maintenance, or to the maintenance, of the fence of said pasture by the common consent of the neighborhood or community controlling such pasture.

Stock in pastures prohibited

Exceptions.

Penalties.

SEC. 2. That any person who willfully violates the provisions of Section 1 of this Act shall, upon conviction, be deemed guilty of a misdemeanor, and shall be subject to a fine not exceeding one hundred dollars or to imprisonment in the County jail not exceeding thirty days.

Right to impound.

Sale.

SEC. 3. That any live stock of any person not entitled to the privileges of such pastures under the provisions of Section 2 which may be found roaming within the limits of any such pasture in Marion County shall be liable to be impounded by any person lawfully interested in such pasture, and to be advertised and sold, or to be delivered to the owner of such impounded stock on the same terms and conditions and according to the provisions of Chapter XXVII, Title X, of the General Statutes, entitled General Stock Law and Fencing Stock, that is to say, the territory within the limits of such pastures in Marion County shall be exempt from the operation and effect of the General Stock Law, so far as the persons lawfully interested therein according to Section 2 of this Act are concerned, but not so exempt as to any other person or persons whomsoever.

Exemption from Stock Law defined.

Repealing clause.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed as to Marion County.

Approved December 19th, A. D. 1892.

AN ACT TO EXEMPT A CERTAIN SECTION OF MARION COUNTY FROM THE OPERATION OF CHAPTER XXVII, TITLE X, PART I, OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW, AS TO LAND OWNERS THEREIN, AND AS TO PERSONS CONTRIBUTING TO BUILDING AND MAINTAINING THE SURROUNDING FENCES, AND TO PROVIDE FOR BUILDING CERTAIN BORDER FENCES.

A. D. 1892.
No. 216.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that section of Marion County included within the following described limits and boundaries be, and the same is hereby, exempted from the operation of Chapter XXVII, Title X, Part I, of the General Statutes, relating to the General Stock Law and fencing stock, viz.: All the territory embraced within a line beginning on Elbert Stouley's land, where it joins the Little Pee Dee Pasture; thence running across Wm. Richardson's land in a Westerly direction; then across Dr. E. L. Sweet's in same direction; then running the line between J. L. Gibson and Cade Thomas; then crossing David Rogers's lands; then joining the Bay Pasture fence and running with it to the Gibson Bay field; then crossing Gibson land and F. J. Gasque lands and T. E. Stouley's and Valentine Rowell's and estate land of Johnson B. Young; then running across the lands of J. O. Brown, W. A. Brown, J. E. Stevenson, Blakeley Young, the Giles's lands, where it crosses the public road on the South side of Flat Swamp; then crossing land of Richard Davis on the side of Flat Swamp; then across the land of J. T. Brown on the side of Flat Swamp till Catfish Swamp is reached; then running down Catfish until it strikes Willie Huett's land, known as the Maree field; then across Catfish Swamp to the River Swamp Pasture in W. D. Johnson's plantation; then connecting with the River Swamp Exemption down to Stewart Shaw's upper place; then across to J. B. Davis's plantation; then to Charley Law's plantation and running round on the South side of Jones Swamp to the Reserve Swamp on the Law place, where the public road crosses the latter swamp; then still across the Law land until it reaches the Bay Pasture fence, where the fence crosses the Reserve Swamp Canal; then running with the Bay Pasture, which is already exempt, until it reaches the Gibson Bay field: *Provided*, Said territory be lawfully fenced and kept lawfully fenced on such sides as may join any section not so exempted: *And provided*, That this Act shall not apply or be

Boundaries of exempted section.

Fences to be maintained.

A. D. 1892.

of force to any person, or as to the live stock of any person, who is not either a land owner within the above described boundaries or a contributor of his or her share towards the erection and maintenance of the bordering fences; and the live stock of other than land owners within said borders, or contributors to the fences thereof in due proportion, may be impounded and disposed of under the provisions of Chapter XXVII, Title X, Part I, of the General Statutes, relating to the General Stock Law and fencing stock, and the amendments thereto, with all the remedies and penalties thereunder, as if the territory in question were not exempted at all.

Persons excluded.

Right to impound.

Right to cut timber.

SEC. 2. That it shall be lawful for any party or persons interested in the building, repairs and maintenance of any boundary fence enclosing said territory exempted as aforesaid from the operation of the said Chapter XXVII, Title X, of the General Statutes to enter upon the adjacent lands of any person or persons whose lands are crossed or included by such fence, and to cut sufficient convenient timber to make rails or boards enough to build or repair, and to build and repair, said fence across the lands of such person or persons as may refuse or neglect to so build or repair said fence across his, her or their own lands from time to time, as the same may be necessary to render said fence lawful and sufficient to insure the exemption of the territory embraced from the operation of the General Stock Law as provided in Section 1.

When to take effect.

SEC. 3. That this Act shall take effect and be of force from and after the first day of March, 1894.

Repealing clause.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 217. AN ACT TO CREATE A NEW SCHOOL DISTRICT IN MARION COUNTY OUT OF PORTIONS OF HILLSBORO AND CARMICHAEL TOWNSHIPS, TO BE KNOWN AS UNION HIGH SCHOOL DISTRICT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Marion County lying within the following County lines, to wit: Beginning at the residence of Dr. James Culbreath;

Area of School District.

thence Southwest, in direct line, to the steam mill of G. & D. Carmichael; thence South, in direct line, to a point directly West of the residence of Alfred Harrelson and distant one-fourth mile from said residence; thence East, in direct line, to the site of Old Sand Ridge School House; thence on, in direct line, to the brick yard on Gaddy and Nichols's public highway; from this point North, in direct line, to the residence of Joshua Byrd, on State line; and from thence West, in direct line, back to the beginning point, be, and is hereby, constituted a new school district, to be known as Union High School District. A. D. 1892. Creation and name.

SEC. 2. That R. H. Rodgers, A. B. Carmichael, J. R. Oliver, Alfred Harrelson, B. F. Edwards, and their successors, to be elected by the stockholders of the Union High School District, and thereupon appointed by the Superintendent of Education, be, and the same are hereby, constituted a Board of Trustees for said school district. Board of Trustees.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class books to be used in the schools of said school district. 3d. To elect and dismiss the teacher, to fix their salaries, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of School Commissioner of Marion County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created. Powers of Board. Studies. Teachers. Annual Report. Property.

SEC. 4. That the Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer. Officers.

SEC. 5. That the Chairman shall call meetings of the Board whenever, in his judgment, it is necessary, or whenever three (3) members of the Board shall in writing request him to do so. Meetings of Board.

SEC. 6. That the School Commissioner of Marion County shall have jurisdiction only over the schools and educational interests of his County not comprised within the corporate limits of the said new school district hereby created under the name of the Union High School District. Jurisdiction of School Commissioner excluded.

SEC. 7. That said school district is also hereby authorized and empowered to levy on all real and personal property returned in Local school tax.

A. D. 1892.

said school district a local tax not exceeding three (3) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the 31st day of January, 1893, and on or before the same day in each succeeding year, call a meeting in said school district of all the freeholders living in above named school district and returning real or personal property therein: *Provided*, That public notice of said meetings specifying the time, place and object shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting in the same fiscal year. The Chairman of said meeting shall within one week thereafter notify the Chairman of said Board of Trustees and the County Auditor of Marion County, respectively, of the amount of the tax thus assessed and levied, and the County Auditor shall at once enter on his books such tax so assessed and levied as aforesaid on all real and personal property returned in said school district, and the County Treasurer of said County shall collect such tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Annual meeting of tax-paying voters.

Notice of meeting.

Powers of meeting.

Tax and its repeal.

Notification, assessment and collection of tax

Disbursement of school funds.

SEC. 8. The County Treasurer of the County of Marion shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of the law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said school district.

Bond of Treasurer.

Payments.

SEC. 9. All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Treasurer countersigned by the Chairman of the said Board of Trustees of said school district.

Survey.

Expense.

SEC. 10. The Board of Trustees shall have said school district surveyed and pay the expenses of such survey out of the funds belonging to said district.

Repealing clause.

SEC. 11. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Public Act.

SEC. 12. This Act shall be deemed a public Act, and shall

take effect and be of full force immediately after the date of its approval. A. D. 1892. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO PROVIDE FOR AN ELECTION FOR INTENDANT AND WARDENS IN THE TOWN OF LITTLE ROCK, IN MARION COUNTY, AND TO REDUCE THE CORPORATE LIMITS OF SAID TOWN. No. 218.

Whereas the town of Little Rock, in Marion County, though duly incorporated by an Act entitled "An Act to incorporate the town of Little Rock, in Marion County," approved December 19th, A. D. 1887, has no duly qualified Intendants or Wardens or Warden; *and whereas* the time has expired for the County Commissioners to order an election for Intendants and Wardens for said town, under the provisions of Section 14 of an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885, which appears from the petition of citizens of said town herewith submitted; now, therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Marion County be, and they are hereby, authorized and required to order an election for Intendant and four Wardens for the town of Little Rock, in said County, and for said purpose said County Commissioners shall at any time within sixty days after the passage of this Act appoint three managers to conduct said election, and said County Commissioners shall give ten days' notice of the time of said election to be held in said town. Election to be ordered. Managers. Notice.

SEC. 2. That the provisions of the Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885, shall apply to said election, as to any first election for Intendant and Wardens of any such town. A. A. 1885, 19 Stat., 174, to govern election.

SEC. 3. That on and after the passage of this Act the corporate limits of the town of Little Rock, in Marion County, shall Limits of town

A. D. 1892. be, and are hereby, changed so as to extend one-fourth of a mile in every direction from the stationed rock as a centre.

Repealing clause. SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

Approved December 24th, A. D. 1892.

NOTE.—For Act regulating commutation for road work in Marion County, see Act No. 90, ante p. 156.

For Act authorizing County Commissioners of Marion and Marlboro to use surplus funds, see Act No. 91, ante p. 157.

For Act fixing compensation of County Board of Equalization and Township Assessors in Marion and Marlboro Counties, see Act No. 98, ante p. 167.

For Act regulating traffic in seed cotton in Marion and Marlboro Counties, see Act No. 153, ante p. 231.

For Joint Resolutions imposing duties on the County Treasurer of Marion County, see Nos. 164 and 165, ante p. 248.

No. 219. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF CLIO, IN MARLBORO COUNTY, AND TO LIMIT THE CORPORATE PRIVILEGES OF THE SAME," APPROVED FEBRUARY 4, 1882.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the village of Clio, in Marlboro County, and to limit the corporate privileges of the same," be, and the same is hereby, amended so as to read as follows:

A. A. 1882, 17 Stat., 772, amended.

Intendant, &c., to preserve peace. SECTION 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with power to preserve the peace within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of all business, and shall be known as the Town Council of Clio; and they and their successors in office shall have a common seal, and shall have power to appoint from time to time such persons to act as Marshals as they may deem expedient and proper, which officers shall have all the powers and duties of Constables and be subject to the penalties prescribed for the violation of law by Constables; and the Intendant and Wardens, in Council, shall have power and authority under the corporate seal to ordain and

Council meetings.

Quorum.

Name and powers.

Marshals.

Ordinances.

establish all such rules, by-laws and ordinances respecting the streets, ways, public wells, markets and police of said town, and for preserving health, order and good government within the same, as they may deem expedient, and punish offenders for violations of the same, when convicted before the Intendant, or before the said Council, who are empowered to try the same, by fine not exceeding one hundred dollars, or imprisonment in the County jail or the guard house of said town not more than thirty days, when no penalty is affixed to the ordinance under which such offender is tried, but when a penalty is so affixed the punishment shall conform to the limits thereof. A. D. 1892. Punishments.

SEC. 2. That said village shall hereafter be known as the "Town of Clio," and in all Acts relating thereto the word "town" shall be substituted for "village" where the same applies as a designation of said corporation. Village changed to town.

SEC. 3. All Acts and parts of Acts inconsistent with this Act, and those supplied by it, are hereby repealed. Repealing clause.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO REFUND TAXES UNLAWFULLY ASSESSED, LEVIED AND COLLECTED FROM MARLBORO LODGE, NO. 88, ANCIENT ORDER OF FREE MASONS, LOCATED IN BENNETTSVILLE, S. C. No. 220.

Whereas, Marlboro Lodge, No. 88, A. F. M., located at Bennettsville, S. C., did pay to the Treasurer of Mariboro County, S. C., during the years 1885, 1886, 1887, 1889, 1890 and 1891 taxes aggregating the amount of ninety-three and $\frac{72}{100}$ dollars ($93.72), and the said Lodge not being liable to taxation under the charter of the Grand Lodge of South Carolina. Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General be authorized and required to draw his warrant and the State Treasurer to pay the same out of any funds not otherwise appropriated in favor of T. E. Dudley, Secretary of Marlboro Lodge, No. 88, A. F. M., for fifty-two and $\frac{22}{100}$ dollars, for State taxes improperly paid as stated below, and the County Treasurer of Marlboro County be, and is hereby, authorized and Warrant to be drawn and paid. Repayment of County taxes.

A. D. 1892.

required to pay to T. E. Dudley, Secretary of Marlboro Lodge, No. 88, A. F. M., taking his receipt for same, the sum of forty-two $\frac{50}{100}$ dollars out of County funds on hand for County taxes improperly paid as stated below:

STATEMENT OF TAXES IMPROPERLY PAID.

Table of taxes to be repaid.

	State.	*County.*	*Total.*
For years 1884–85.....	$7.00	$7.00	$14.00
For years 1885–86.....	6.47	6.03	12.50
For years 1886–87.....	6.28	6.28	12.56
For years 1887–88.....	6.89	5.42	12.31
For years 1888–89.....	7.29	5.42	12.71
For years 1889–90.....	8.77	6.05	14.82
For years 1890–91.....	8.52	6.30	14.82
	$52.22	$42.50	$93.72

Approved December 19th, A. D. 1892.

No. 221. AN ACT TO REGULATE THE NUMBER OF TRIAL JUSTICES IN NEWBERRY COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act there shall be nine Trial Justices in the County of Newberry, and no more, as follows: One located at Newberry Court House, who shall receive an annual salary of one hundred dollars in lieu of all fees in criminal cases. One located at Prosperity, who shall receive one hundred dollars per annum in lieu of all fees in criminal cases. And one located in each of the following townships, viz.: Number 11, Number 4, Number 5, Number 6, Number 7, Number 8 and Number 10, who shall each receive an annual salary of forty dollars each in lieu of all fees in criminal cases.

Number of Trial Justices.

Salary to Trial Justice at Newberry C. H.

At Prosperity.

In the other townships.

Existing laws.

SEC. 2. That said Trial Justices shall be subject to, and governed by, all the laws now in force in this State relating to Trial Justices.

Repealing clause.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 15th, A. D. 1892.

A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF NEWBERRY AND UNION COUNTIES TO INVESTIGATE AND PAY FAIR COMPENSATION TO JAMES M. HENDERSON AND MRS. SARAH E. T. CHICK FOR DAMAGES SUSTAINED BY THEM BY THE SINKING OF THE FLAT AT GORDON'S FERRY, ON TYGER RIVER. No. 222.

Preamble. *Whereas* James M. Henderson and Mrs. Sarah E. T. Chick sustained serious damages by the sinking of a flat on Tyger River, which flat was jointly maintained by the Counties of Newberry and Union.

Damages to be investigated. SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Newberry and Union Counties are hereby authorized to meet and investigate the damages sustained by the said James M. Henderson and Mrs. Sarah E. T. Chick by the sinking of the flat at Gordon's Ferry, which was maintained by said Counties.

Amount to be fixed. SEC. 2. That when said investigation shall have been made by said County Commissioners, they shall fix, if they so determine, the damages, and the County Commissioners of Union County shall draw their warrant on the Treasurer of Union County for one-half of the damages, and the County Commissioners of Newberry County for one-half, and the Treasurers of Union and Newberry Counties are hereby authorized to pay the same.

How paid.

Approved December 24th, A. D. 1892.

No. 223.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH TWO NEW SCHOOL DISTRICTS IN A PORTION OF NO. 11 AND NO. 2 TOWNSHIPS AND IN NO. 11 TOWNSHIP IN THE COUNTY OF NEWBERRY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN," APPROVED DEC. 22ND, 1888, BY ADDING THERETO ANOTHER SECTION TO BE KNOWN AS SECTION 13.

A. A. 1888, 20 Stat., 201, amended. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish two new school districts in

A. D. 1892. a portion of No. 11 and No. 2 and in No. 11 Townships in the County of Newberry, and to authorize the levy and collection of a school tax therein," approved December 22nd, 1888, be, and Section added. the same is hereby, amended by adding thereto another Section te be known as Section 13, as follows :

SECTION 13. That in case the Board of School Trustees of any district created under the provisions of this Act cannot obtain otherwise suitable sites for the locations of school houses, then the Condemnation of school site. Board of Trustees of such district is hereby authorized to condemn a lot of land for the location of both white and colored schools, if the same be necessary, neither lot to exceed in area one acre : *Provided,* That the owner or owners of such lot or lots of land Compensation to owners. thereby condemned shall receive a just compensation therefor, to be paid out of the funds of the school district, the amount of said How determined. compensation to be determined by three freeholders of the school district, the first of whom shall be selected by the Board of Trustees of the school district, the second by the owner or owners of the lot or lots of land condemned, and the third by the two already selected : *Provided,* That the owner or owners Appeal. of such land shall have the right of appeal, as provided by law, in cases of condemnation of lands for public purposes.

Approved December 22nd, A. D. 1892.

No. 224. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO SUBMIT TO THE QUALIFIED VOTERS OF TOWNSHIPS 10 AND 11 OF SAID COUNTY THE QUESTION OF AN ADDITIONAL SPECIAL TAX FOR CERTAIN PURPOSES THEREIN MENTIONED."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. A. 1891, 20 Stat., 1428, amended. Section 1 of an Act entitled "An Act to authorize the County Commissioners of Newberry County to submit to the qualified voters of Townships 10 and 11 of said County the question of an additional special tax for certain purposes therein mentioned" be amended by striking out in line six the words " within sixty days from the approval of this Act," and inserting in lieu thereof the

following words: "on the 1st day of April, 1893." So that said Section when amended shall read as follows: That the County Commissioners of Newberry County are hereby authorized and required to order an election in Townships 10 and 11 of said County on the 1st day of April, 1893, at which election they shall submit the question of "special tax" or "no special tax" to the qualified voters of said townships: *Provided,* That a majority of the real estate owners resident in said townships petition for the same before March 1st, 1893.

A. D. 1892.

Election to be ordered.

Date.

Prior petition.

Approved December 15th, A. D. 1892.

AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT TO EMBRACE THE CORPORATE LIMITS OF THE TOWN OF LITTLE MOUNTAIN, IN NEWBERRY COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN. No. 225.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining a public school or schools in the town of Little Mountain, in Newberry County, a school district is hereby established to embrace the area included within the corporate limits of the said town.

School district established.

SEC. 2. That J. B. Lathan, A. N. Boland and W. C. Shealy be, and they are, made a Board of Trustees for said school district, who shall hold their offices for two years, and until their successors are elected. There shall be an election for Trustees of said school district by the qualified electors of said district every two years.

Board of Trustees.

Elections.

SEC. 3. That said Trustees shall have the power and perform the duties following: 1st. To select suitable sites for schools in said district, and discharge all the duties and have all the rights that are now exercised by, or may hereafter be given to, School Trustees. 2nd. To elect and dismiss the teachers, and fix their salaries; to prescribe their duties and term of office, and make rules for the government of the schools, and make an annual report to the State Superintendent of Education on or before the first day of October in each year, to be forwarded through the School Commissioner of Newberry County. 3d. To take charge

Powers of Trustees.

Teachers.

Annual Report.

A. D. 1892.

of and keep in repair all buildings and other property belonging to said school district.

Property.

Officers.

SEC. 4. That the Board of Trustees at their first meeting shall from their number elect a Chairman and Secretary thereof.

Meetings of Board.

SEC. 5. That the Chairman of said Board of Trustees shall call meetings of the said Board of Trustees whenever in his judgment it is necessary, or whenever a majority of the Board shall request him in writing to do so.

Local school tax

SEC. 6. That said school district is hereby authorized and empowered to levy on all personal and real property returned in said school district a local tax not exceeding (2) two mills in any one year to supplement the general tax for the support of schools in the mode following: The said Board of Trustees shall on or before the 15th of January, 1893, and on or before the said day in each succeeding year, call a meeting in

Annual meeting of tax-paying voters.

said school district of all the legal voters living in said school district and returning real or personal property therein,

Notice to be given.

or both, providing that publication thereof shall be given, specifying the time, object and place of said meeting, at least ten (10) days before such meeting, by posting the same in three conspicuous places in said district and publishing the same in a newspaper published in Newberry County and in a newspaper

Powers of meeting.

published in Lexington County. The persons answering the above designation when assembled shall choose a Chairman

Tax.

and Secretary and decide what additional tax, if any, shall be levied. The Chairman of said meeting shall within one week

Notification, assessment and collection of tax

afterwards notify the Chairman of the said Board of Trustees and the County Auditor of Newberry and Lexington Counties, respectively, of the amount of taxes levied. And the County Auditor of each of said Counties shall at once assess such taxes on the real and personal property returned in that part of said school district lying within each of said Counties, respectively, and each of the County Treasurers of said Counties shall collect the said tax with the other taxes of the same year, and such taxes shall be collected by like process and the non-payment thereof subject to like penalties as in case of non-payment of County or State taxes.

County Treasurers to hold moneys.

SEC. 7. The County Treasurer of Newberry and Lexington Counties shall each hold all moneys arising from the school taxes which said school district shall be entitled to under the general

Subject to warrant.

provisions of law, and under the provisions of this Act, subject to the warrant of the Chairman of the Board of Trustees of said

school district. And for the purpose of maintaining a school or schools in said school district for the present fiscal year, each of said Treasurers of the Counties of Newberry and Lexington shall pay to said Chairmen of said Board of Trustees in like manner the school tax and poll tax which they, or either of them, have collected or may collect from persons or on property within said school district. A. D. 1892. Payment over of taxes.

SEC. 8. This Act shall be deemed a public Act, and shall take effect from the time of its approval. Public Act. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF LITTLE MOUNTAIN, IN NEWBERRY COUNTY, SO AS TO EXTEND THE LIMITS THEREOF. No. 226.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all after the words "Little Mountain" in Section 1 of an Act entitled "An Act to incorporate the town of Little Mountain" be, and the same is hereby, stricken out and the following inserted in lieu thereof: "And the area thereof shall be a square, the sides of which shall be two miles in length, with the depot of the Columbia, Newberry and Laurens Railroad as its centre; or in other words said depot shall be equi-distant from the parallel lines of said square; and the Town Council of said town are hereby authorized and required to arrange and locate the courses of the lines of said square as to them may seem best." So that said Section when amended shall read as follows: A. A. 1890, § 1, 20 Stat., 955, amended. Enlarged area.

SECTION 1. That all citizens of the United States who are now or hereafter may be inhabitants of the town of Little Mountain shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Little Mountain, and the area thereof shall be a square, the sides of which shall be two miles in length, with the depot of the Columbia, Newberry and Laurens Railroad as its centre; or in other words said depot shall be equi-distant from the parallel lines of said square; and the Town Council of said town are Incorporation. Name and area. Duty of Town Council.

A. D. 1892. hereby authorized and required to arrange and locate the courses of the lines of said square as to them may seem best.

Approved December 22nd, A. D. 1892.

No. 227. AN ACT TO AMEND THE CHARTER OF THE TOWN OF NEWBERRY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 13 of the charter of the town of Newberry be amended by adding after the word "State," in line 5, the following: "*Provided,* That in all cases the defendant shall have the right of appeal as now allowed by law in Trial Justice Courts in the State." So that said Section when amended shall read as follows:

A. A. 1882, 17 Stat., 715, amended.

Jurisdiction of Mayor and Aldermen.

SECTION 13. That the said Mayor and Aldermen shall be vested jointly and severally with jurisdiction in all criminal cases that shall occur within the corporate limits of said town equal to that now vested by law in Trial Justices in this State: *Provided,* That in all cases the defendant shall have the right of appeal as now allowed by law in Trial Justice Courts in this State. But it is provided that at some hour during the morning of each day the Mayor or acting Mayor of said town shall hold court to dispose of such cases as may be ready for trial or other consideration.

Right of appeal.

Daily Court.

Repealing clause.

SECTION 14. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 15th, A. D. 1892.

No. 228. AN ACT TO AMEND SECTIONS 5 AND 17 OF AN ACT ENTITLED "AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF NEWBERRY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section

17 of an Act entitled "An Act to renew and amend the charter of the town of Newberry," approved January 31st, 1882, be, and the same is hereby, amended by inserting in lieu of the word "twenty" the word "sixty," so that the same shall read as follows: That the said Mayor and Aldermen shall have the power and authority to impose the following taxes each year for the use of said town, that is to say: Sixty cents on each one hundred dollars' worth of real and personal property being in the limits of said town, (except the property of churches and institutions of learning.) The value of the said real and personal property, for the purposes of taxation, shall be fixed and assessed as hereinafter provided: *Provided,* That a necessity shall arise for the levy and collection of said tax.

A. D. 1892.

A. A. 1882, 17 Stat., 716, amended.

Annual tax.

Exceptions.

Assessments.

SEC. 2. That Section 5 be amended by inserting the word "December" in lieu of the word "April" in said Section, so that the same shall read as follows:

Section 5 amended.

SECTION 5. That the election for Mayor and Aldermen of said town shall be holden on the second Tuesday in the month of December of each year; at which election all persons who have hereinbefore been declared to be members of said corporation shall be entitled to vote: *Provided, however,* That it shall be in the power of the Mayor and Aldermen of the town of Newberry to require a registration of all the voters of said town as a prerequisite to voting at any election for Mayor and Aldermen thereof; and for this purpose full power is hereby vested in the Mayor and Aldermen of said town to prescribe the time, place, manner and terms of said registration of voters, by an ordinance for that purpose.

Annual election

Electors.

Registration.

Approved December 24th, A. D. 1892.

AN ACT TO CREATE A NEW SCHOOL DISTRICT IN NEWBERRY COUNTY, TO BE KNOWN AS WHEELAND SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN. No. 229.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Newberry County lying within the following boundary

A. D. 1892.

Area of School District.

lines, to wit: Beginning at a point on the line dividing the Counties of Newberry and Lexington near the residence of John A. Boland; and from thence North of the residence of George Shealy; and from thence North of the residence of Calvin Metts; and from thence North of the residence of Michael Bowers; and from thence in a straight line to Camping Creek; thence along Camping Creek to Lexington County line; thence along Lexington County line to beginning near residence of John A. Boland,

Creation and name.

be, and is hereby, constituted a new school district, to be known as Wheeland Graded School District.

Board of Trustees.

SEC. 2. That N. B. Wheeler, D. C. Boland, Patrick Boland, Calvin Metts and Edward Sease and their successors, to be elected by the stockholders of the Wheeland Graded School District and thereupon appointed by the Superintendent of Education, be, and the same are hereby, constituted a Board of Trustees for said school district.

Powers of Board

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2d.

Studies.

To determine the studies and class books to be used in the

Teachers.

schools of said school district. 3d. To elect and dismiss the teachers, to fix their salaries, to prescribe their duties and term of office, and to make rules for the government of the schools.

Annual Report.

4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of the School Commissioner of Newberry County. 5th. To take in

Property.

charge, and keep in order, all buildings and other property belonging to, or used for carrying on, the schools of the district herein created.

Officers.

SEC. 4. That the Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer.

Meetings of Board.

SEC. 5. That the Chairman shall call meetings of the Board whenever, in his judgment, it is necessary, or whenever three (3) members of the Board shall in writing request him to do so.

Jurisdiction of School Commissioner excluded.

SEC. 6. That the School Commissioner of Newberry County shall have jurisdiction only over the schools and educational interests of his County not comprised within the corporate limits of the said new school district hereby created under the name of the Wheeland Graded School District.

Local school tax.

SEC. 7. That said school district is also hereby authorized and empowered to levy on all real and personal property returned in

said school district a local tax, not exceeding three (3) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the 15th day of January, 1893, and on or before the same day in each succeeding year, call a meeting in said school district of all the legal voters living in above named school district and returning real or personal property therein: *Provided*, That public notice of said meeting, specifying the time, place and object, shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be assessed. No tax thus levied shall be repealed at a subsequent meeting in the same fiscal year. The Chairman of said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees, and the County Auditor of Newberry County, respectively, of the amount of the tax thus assessed, and the County Auditor shall at once enter on his books such tax so assessed and levied on all real and personal property returned in said school district, and the County Treasurer of said County shall collect such tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Annual meeting of taxpaying voters.

Notice to be given.

Powers of meeting.

Tax and its repeal.

Notification, assessment and collection of tax

SEC. 8. The County Treasurer of the County of Newberry shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of the law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said school district.

Disposition of tax levies.

SEC. 9. All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Treasurer of said Board of Trustees of said school district.

Bond of Treasurer.

Payments.

SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 11. This Act shall be deemed a public Act, and shall take effect and be of full force immediately after the date of its approval.

Public Act.

When to take effect.

Approved December 24th, A. D. 1892.

A. D. 1892.

No. 230.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REGULATE THE NUMBER AND PAY OF TRIAL JUSTICES IN OCONEE COUNTY," APPROVED DECEMBER 22ND, 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to regulate the number and pay of Trial Justices in Oconee County," approved December 22nd, 1891, be, and the same is hereby, amended by adding after the word "each" on the eleventh line of said Section the following words: "Except the Trial Justice located in the Southeastern portion, Seneca township, who shall receive an annual salary of thirty dollars." So that said Section, as amended, shall read as follows:

A. A. 1891, § 2, 20 Stat., 1430, amended.

Salary of Trial Justice at Walhalla.

Seneca City.

Westminster.

Centre Township.

Pulaski Township.

Other Trial Justices.

Seneca Township.

SECTION 2. That the Trial Justice residing in or near the town of Walhalla shall receive an annual salary of one hundred dollars; the one in or near Seneca City and the one in or near Westminster each shall receive an annual salary of fifty dollars. There shall be two Trial Justices in Centre Township, and the one at or near Fairplay shall receive an annual salary of forty dollars; the one at or near Oakway shall receive an annual salary of forty dollars; the one in Pulaski Township shall receive an annual salary of thirty-five dollars, and the other Trial Justices in said County an annual salary of twenty dollars each, except the Trial Justice located in the Southeastern portion, Seneca township, who shall receive an annual salary of thirty dollars; said sums to be the full and only compensation to be received by them in criminal cases.

Approved December 20th, A. D. 1892.

No. 231. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO CREATE A SPECIAL SCHOOL DISTRICT WITHIN THE TOWNSHIP OF SENECA, IN OCONEE COUNTY, TO BE KNOWN AS THE SENECA GRADED SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 24TH, 1887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That an Act entitled "An Act to create a special school district within the township of Seneca, in Oconee County, to be known as the Seneca Graded School District, and to authorize the levy and collection of a local tax therein," approved December 24th, 1887, be, and the same is hereby, repealed. A. D. 1892. A. A. 1887, 19 Stat., 1072, repealed.

SEC. 2. That this Act shall take effect from and after the first day of January, A. D. 1894, and not sooner. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SENECA CITY, IN THE COUNTY OF OCONEE, AND TO REDUCE ALL ACTS OR PARTS OF ACTS IN RELATION THERETO INTO ONE ACT, APPROVED DECEMBER 24TH, 1879. No. 232.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to alter and amend the charter of the town of Seneca City, in the County of Oconee, and to reduce all Acts or parts of Acts in relation thereto into one Act," approved December 24th, 1879, be, and the same is hereby, amended by striking out the words "Seneca City" wherever the same occurs in said Act, and in the title thereof, and inserting in lieu thereof the word "Seneca" wherever the words "Seneca City" occurs in said Act. A. A. 1879, 17 Stat., 156, amended. Change of name

SEC. 2. That Section six of said Act be amended on line 14 after the word "hours" by inserting the words "Sunday not to be computed in this count." So that said Section shall read as follows: Section 6 amended.

SECTION 6. The said Town Council shall have power, and are hereby authorized, to appoint or elect from time to time such and so many proper person or persons to act as Marshals or Constables (in addition to the Sheriff and his deputies of the County of Oconee, who shall also be Marshals of the said town,) as it may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons so appointed or elected shall, within the corporate limits of said town, have the powers provided by law for the office of Constables, and shall be removable at the pleasure of said Town Council. And it shall Marshals. Power of Sheriff Powers of Marshals.

A. D. 1892.

be the duty of the Marshals or Constables, or any one or more of them, to arrest with or without a warrant and commit to the guard house of said town, (or jail of Oconee County, if the said Council so order or direct,) for a term not exceeding twenty-four hours, Sunday not to be computed in this court, when ordered to do so by the Intendant or any of the Wardens of the said town, any person or persons who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct indecent or dangerous or to the annoyance of the citizens of the said town or any of them, and the said Marshals or Constables, or any one or more of them, shall have power to call to their assistance the *posse comitatus*, if need be, to aid them in making such arrests, and upon their failure to perform such duty as required they shall be subject to such fines and penalties as said Council may impose upon them. And all persons imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided herein for the collection of fines imposed for the violation of ordinances, rules and regulations of said town: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine or penalty Council may impose for the offense which he, she or they may have committed. And it shall be the duty of the Marshals or Constables, or any one or more of them, to collect all fines or forfeitures imposed by said Council, and to enforce and carry into effect the by-laws, rules, regulations and ordinances of said Council, and to serve all papers issued by said Council when so required.

Duties of arrest and commitment.

Term of safe keeping.

Posse comitatus.

Costs and expenses.

How collected.

Fines.

Collection of fines.

Enforcement of by-laws.

Service of papers.

Section 7 amended.

SEC. 3. That Section seven of said Act be amended by striking out the word "twenty" on line ten of said Section and inserting in lieu thereof the word "fifty," and by striking out on lines thirteen and fourteen the words "at the rate of one day for each one dollar of fine imposed and not paid," and inserting in lieu thereof the words "for a length of time, in the discretion of said Town Council, not to exceed thirty days." So that said Section shall read as follows:

Ordinances.

SECTION 7. The said Town Council of Seneca shall have full power and authority under their corporate seal to ordain and establish all such rules, by-laws and ordinances respecting the streets, pavements, ways, markets, public buildings, weights, measures, wells, privies, disorderly places, fire department, police, and in general every other ordinance and by-law, as shall appear

A. D. 1892.

to them requisite for the security, welfare and convenience of said town, and for preserving health, peace, cleanliness, order and good government within the same, and to prevent the violation of its ordinances by imposing fines and penalties, not to exceed fifty dollars by fine, or imprisonment not to exceed thirty days, or both such fine and imprisonment, or, in lieu of said fine or imprisonment, to hard labor on the public streets, ways or pavements for a length of time, in the discretion of said Town Council, not to exceed thirty days, under the direction of the Town Marshal or Constable or other person appointed by Council.

Fines and penalties.

Labor on streets.

Section 8 amended.

SEC. 4. That Section eight of said Act be amended on line six by striking out the word "twenty" and inserting in lieu thereof the word "fifty," by striking out the word "twenty" on line seven and inserting in lieu thereof the word "fifty," and by adding at the end of said Section the words "or be made to work on the streets not exceeding thirty days." So that said Section shall read as follows:

Nuisances.

Notice to be given.

Penalty.

SECTION 8. That the said Town Council shall have full power and authority to abate all nuisances within the corporate limits of said town, giving five days' notice to the occupants of premises where the nuisance lies or exists; and in default or non-compliance with the orders of Council respecting a nuisance, the parties so offending shall be fined not more than fifty dollars or imprisoned more than thirty days in the County jail for each and every offense, or be made to work on the streets not exceeding thirty days.

Section 16 amended.

SEC. 5. That Section sixteen of said Act be amended on line two by striking out the word "twenty" and inserting in lieu thereof the word "fifty;" by striking out on line ten the words "less than twenty" and inserting in lieu thereof the words "not more than fifty;" by striking out on line eleven the word "twenty" and inserting in lieu thereof the word "fifty;" by striking out on lines twelve and thirteen the words "at the rate of one day for each one dollar of fine" and inserting in lieu thereof the words "for a length of time, in the discretion of the Council, not exceeding thirty days;" and by striking out on lines forty-three and forty-four the words "for a time not exceeding one day for each dollar of fine imposed and not paid" and inserting in lieu thereof the following words: "for a length of time, in the discretion of the Council, not exceeding thirty days." So that said Section shall read as follows:

SECTION 16. When any offense against the ordinances of the said

A. D. 1892.

town is charged for which a fine of more than fifty dollars is ordained, the said charge for which a fine of more than fifty dollars is ordained, the said charge shall be heard and determined in an action of debt, to be brought in the name of the Town Council, for the recovery of said fine, before a Court having jurisdiction of causes of action of that amount for Oconee County. If the fine ordained may, according to discretion, or the offense, be one for which imprisonment is ordained, the Council may, in its discretion, try the offender and inflict a fine not more than fifty dollars, or imprisonment not exceeding thirty days, or, in lieu of fine or imprisonment, to hard work on the public streets, bridges or pavements, for a length of time, in the discretion of the Council, not exceeding thirty days, or may direct proceedings before a Trial Justice or in the Court of Sessions of said County. In all cases of trial to be had before the said Town Council a warrant may issue for the arrest of the party charged (if not in custody), under the hand of the Intendant, or any one of the Wardens, wherein shall be expressed with certainty the offense charged and the time of trial, and upon examination shall either release, admit to bail, if the offense be bailable, or commit to the guard house or jail, such offenders, as the case may require, and the Sheriff of Oconee County is hereby required to receive and keep the person so committed until discharged by due course of law. That all fines and forfeitures imposed by said Town Council shall be collected by *fieri facias*. The Sheriff of Oconee County and his deputies for the time being be, and they are hereby, authorized to execute the process of the said Council as by law the Marshal or Constable of said corporation might or should now do, having the same privileges, powers and emoluments and subject to the same duties and penalties as herein provided: *Provided*, That all *nulla bona* costs incident on any executions issuing from said Town Council and directed to the said Sheriff shall be paid by the said Town Council; and the said Town Council shall have the same power as is granted Trial Justices or other inferior Courts in this State to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person or persons for violating of their ordinances, by-laws, rules or regulations. And whenever the said Town Council shall impose a fine upon a person convicted of an offense who refuse, fail or is unable to pay the same, the said Town Council shall have power to compel such person to work upon the streets, bridges or pavements of said town, under

Collection of fine over $50.

Action of debt.

Trial by Council where fine is under $50 and imprisonment under 30 days.

Or tried by Courts.

Warrant of arrest.

Contents.

Release, bail or commit to jail

Fieri facias.

Duty of Sheriff.

Nulla bona costs.

Witnesses.

Labor on streets, &c.

the direction of the Marshal or person appointed for that purpose, for a length of time, in the discretion of the Council, not exceeding thirty days. All moneys collected as fines, as well as all realized from licenses granted and taxes levied, shall be applied to the use of said town. A. D. 1892. Appropriation of moneys.

Approved December 24th, A. D. 1892.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO EXEMPT FROM TAXATION CERTAIN LOTS OF LAND BEING IN THE CORPORATE LIMITS OF THE TOWN OF WALHALLA, IN THE COUNTY OF OCONEE," APPROVED DECEMBER 23D, 1879. No. 233.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to exempt from taxation certain lots of land being in the corporate limits of the town of Walhalla, in the County of Oconee," approved December 23d, 1879, be, and the same is hereby, repealed, and that hereafter said lots shall be subject to taxation as provided by law. A. A. 1879, 17 Stat., 108, repealed. Liable to taxation.

SEC. 2. That this Act shall take effect from and after its approval. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO RECHARTER MAXWELL'S BRIDGE, IN OCONEE COUNTY." No. 234.

Whereas a free public bridge has been established about three miles above, and a chartered ferry has been established about one mile below Maxwell's Bridge, on Seneca River, in Oconee County, and the tolls are therefore vastly inadequate to justify the keeping of said bridge in repair; now, therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Repre-

A. D. 1892.

sentatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to recharter Maxwell's Bridge," approved December 26th, A. D. 1884, be, and the said Act, with the charter of Maxwell's bridge, on Seneca River, in Oconee County, is hereby, repealed.

A. A. 1884, 18 Stat., 898, repealed.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1892.

No. 235. A JOINT RESOLUTION AUTHORIZING THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT ON THE STATE TREASURER, AND THE SAID TREASURER TO PAY SAME, FOR DEFRAYING THE EXPENSES OF THE SPECIAL ELECTION HELD IN OCONEE COUNTY ON 26TH FEBRUARY, 1892, FOR THE OFFICE OF PROBATE JUDGE OF SAID COUNTY.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller-General of this State be, and is hereby, authorized and directed to draw his warrant on the State Treasurer of the State for a sufficient amount to cover the expenses of the special election held in Oconee County on 26th February, 1892, for the office of Probate Judge of said County, and pay same over to the Commissioners of Election for said County, to be disbursed by them as provided by law for the payment of expenses of general elections.

Warrant to be given to Commissioners of Election.

To be paid by State Treasurer.

SEC. 2. That the State Treasurer of the State do pay said warrant out of any funds in the State Treasury not otherwise appropriated.

Approved December 24th, A. D. 1892.

NOTE.—For Act authorizing County Commissioners of Oconee to use surplus funds, see Act No. 91, ante p. 157.

For Act fixing compensation of County Board of Equalization and Township Assessors in Oconee County, see Act No. 98, ante p. 167.

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO OPEN A PUBLIC ROAD, RUNNING FROM THE FOOT OF RUSSELL STREET, IN THE TOWN OF ORANGEBURG, WESTWARD, AND TO DISCONTINUE THE ORANGEBURG BRIDGE ROAD AS A PUBLIC HIGHWAY.

A. D. 1892.
No. 236.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County shall be, and are hereby, empowered and authorized to open a public road sixty feet in width, running from the foot of Russell street, in the town of Orangeburg, Westward, over the swamp and waters of the North Edisto River, to a point at or near the junction of the Cannon's Bridge public road and the Ninety-Six public road in said County.

Road to be opened.

Route.

SEC. 2. That the portion of the public road running from the junction of the Cannon's Bridge and Ninety-Six public roads to the corporate limits of the city of Orangeburg, and known as the Orangeburg Bridge Road, shall be, and the same is hereby, discontinued as a public highway: *Provided*, That nothing in this Section shall have force or effect until the road contemplated in this Act is completed.

Old road discontinued.

When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO OPEN AND CONSTRUCT A PUBLIC HIGHWAY FROM THE TERMINUS OF THE ST. MATTHEW'S NEW ROAD TO SALEM CHURCH, ON THE MT. WILLEN ROAD.

No. 237.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County be, and they are hereby, authorized and required to open and construct a public highway, to start at or near the terminus of the St. Matthew's new road, thence running the most practicable route by or near J. R. Leysath's mill, thence by or near N. A. Whetstone's, thence the most direct practicable route across Bull Swamp, between Midway Pond and Gissendaner's Bridge, or below said

Road to be opened.

Route

A. D. 1892.

pond or at Gissendaner's Bridge if they deem it advisable; thence straight to the South Bound Railroad Depot at Woodford, in Orangeburg County; thence taking the Salem Church road and intersecting with the Mt. Willen road at Salem Church.

Survey.

SEC. 2. That for the purpose of locating said road the said County Commissioners shall have the power to call to their assistance a surveyor, who shall lay off such road under their direction.

Condemnation.

SEC. 3. That said County Commissioners shall have the power to condemn the lands through which said road passes, where the owner of said land will not give the right of way for such purposes, and the damages to said land shall be assessed in the following manner, to wit: the County Commissioners and land owner shall each appoint one disinterested person, and the two so appointed shall appoint a third person, and the three persons so appointed shall go upon the premises and assess the damages to said land owner, which shall be paid by the County Commissioners as other claims against the County are paid.

Assessment of damages.

How paid.

Approved December 24th, A. D. 1892.

No. 238. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF ORANGEBURG COUNTY TO COLLECT AND DISBURSE THE POLL TAX UNDER LAWS AS EXISTING PRIOR TO THE PASSAGE OF THE ACT PASSED DECEMBER 24TH, 1890.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Orangeburg County be, and is hereby, authorized and required forthwith to collect, pay out and disburse the poll tax of said County under and according to Section 1002 of the General Statutes as amended by an Act entitled "An Act to amend Chapter XIX of the General Statutes, relating to free public schools," approved December 24th, 1883, respective of the provisions of an Act entitled "An Act to amend the General Statutes relating to the assessment and collection of taxes for school purposes, and to add two new Sections, to be known as Sections 229*a* and 229*b*," approved December 24, A. D. 1890; that is to say, to perform said duties under the laws existing prior to the passage of the last named Act.

Duty of County Treasurer.

18 Stat., 534.

A. A. 1890, 20 Stat., 718, not to govern.

Approved December 19th, A. D. 1892.

AN ACT TO INCREASE THE SALARY OF THE TRIAL JUSTICE IN ELIZABETH TOWNSHIP, IN ORANGEBURG COUNTY.

A. D. 1892.

No. 239.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the salary of the Trial Justice for the Township of Elizabeth, in Orangeburg County, shall be at the rate of eighty dollars ($80) per annum, instead of forty dollars ($40) as heretofore provided by law.

Salary fixed at $80.

Approved December 19th, A. D. 1892.

AN ACT TO REDUCE THE NUMBER OF TRIAL JUSTICES IN THE JUDICIAL DISTRICT EMBRACING THE CITY OF ORANGEBURG, IN ORANGEBURG COUNTY, AND THE JUDICIAL DISTRICT EMBRACING THE TOWN OF UNION, IN UNION COUNTY, TO ONE, IN EACH OF SAID DISTRICTS, AND TO FIX HIS COMPENSATION, AND TO AUTHORIZE THE APPOINTMENT OF A CONSTABLE AND TO FIX HIS SALARY.

No. 240.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, only one Trial Justice shall be appointed for the judicial district embracing the city of Orangeburg, in the County of Orangeburg, who shall reside in the said city of Orangeburg, and only one for the judicial district embracing the town of Union, in Union County, who shall reside within the town of Union, and shall keep his office open daily therein. The said Trial Justice shall receive a salary of three hundred and fifty dollars per annum in lieu of all costs and fees in criminal cases, payable at the end of each quarter, in equal installments, by the County Treasurer, upon the warrant of the County Commissioners.

One Trial Justice at Orangeburg City.

One at Union.

Salary.

How paid.

SEC. 2. That the said Trial Justice is authorized and empowered to appoint and employ a person to act as Constable, who shall receive a salary of two hundred and fifty dollars, payable quarterly by the County Treasurer, upon the warrant of the

Constable.

Salary.

How paid.

A. D. 1892.

No other compensation in criminal cases.

County Commissioners, and the said Constable shall not receive any other sums of money for such service rendered by him in any criminal case under such employment or appointment, except as herein provided.

Repealing clause.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same hereby are, repealed.

When to take effect.

SEC. 4. That this Act shall take effect immediately upon its approval by the Governor.

Approved December 15th, A. D. 1892.

No. 241. AN ACT TO CHANGE THE NAME OF HARLIN CITY, IN ORANGEBURG COUNTY, TO ELLOREE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Change of name.

name of the town of Harlin City, in Orangeburg County, be, and the same is hereby, changed to that of Elloree.

Rights continued.

SEC. 2. That all the rights and privileges vested in the town of Harlin City be, and are hereby, vested in the town of Elloree.

Approved December 20th, A. D. 1892.

No. 242. AN ACT TO INCORPORATE THE TOWN OF LIVINGSTON, IN THE COUNTY OF ORANGEBURG.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from

Incorporation.

and after the passage of this Act all citizens of the United States and of this State who now are, or hereafter may be, inhabitants of the town of Livingston shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town

Name and limits.

shall be known by the name of Livingston, and the limits shall extend one-half mile in every direction from the depot of the South Bound Railroad Company.

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SEC. 2. That said town shall be vested with all the rights, powers and privileges, and be subject to all the limitations and provisions, contained in an Act entitled "An Act to provide for and regulate the incorporations of towns of less than one thousand inhabitants in this State," approved December 23d, 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act. Duration.

SEC. 4. This Act shall take effect immediately after its approval. When to take effect.

SEC. 5. That no intoxicating liquors of any kind whatsoever be sold in the corporate limits of said town. Sale of liquors prohibited.

Approved December 19th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF NORTH, IN ORANGEBURG COUNTY. No. 243.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the town of North shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of North, and the limits shall extend one-half mile in every direction from the depot of the South Bound Railroad Company so that the limits shall form a circle. Incorporation. Name and limits.

SEC. 2. Said town of North shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and to regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town. Sale of liquors prohibited.

SEC. 4. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act. Duration.

SEC. 5. This Act shall take effect immediately on its approval. When to take effect.

Approved December 19th, A. D. 1892.

A. D. 1892.

No. 244.

AN ACT TO CHANGE THE NAME OF THE TOWN OF PREWITTS, IN ORANGEBURG COUNTY, TO THAT OF "NORWAY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Change of name. name of the town of Prewitts, in Orangeburg County, be, and the same is hereby, changed to that of "Norway."

Incorporation. SEC. 2. That all citizens of the United States who now are or hereafter may be inhabitants of the town of Norway shall be deemed, and are hereby declared to be, a body politic and cor-

Name and limits. porate, and that said town shall be known by the name of Norway, and the limits shall extend half mile in every direction from the depot of the South Bound Railroad Company, so that the limits shall form a circle.

Rights and limitations. SEC. 3. That said town of Norway shall be vested with all the rights, powers and privileges granted by, and be subject to all

19 Stat., 174. limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporations of the towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885.

Sale of liquors prohibited. SEC. 4. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.

Public Act. Duration. SEC. 5. That this Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter.

When to take effect. SEC. 6. This Act shall take effect immediately on its approval.

Approved December 20th, A. D. 1892.

No. 245.

AN ACT TO AMEND THE CHARTER OF THE BOYS' AND GIRLS' SAVINGS INSTITUTION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Change of location authorized. Boys' and Girls' Savings Institution, a corporation created by law under a charter issued out of the office of the Secretary of State of the State of South Carolina on the twenty-third day of Octo-

ber, A. D. 1889, be, and hereby is, permitted and authorized to change its principal place of business from the city of Orangeburg to any other city, town or village in the County of Orangeburg. A. D. 1892. 20 Stat., 625.

SEC. 2. That the said corporation shall have the right to establish branch offices in any city, town or village in the State of South Carolina. Branch offices.

SEC. 3. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing clause.

Approved December 20th, A. D. 1892.

AN ACT TO INCORPORATE THE BOILING SPRINGS CAMP MEETING ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH, SOUTH, OF THE METHODIST EPISCOPAL CHURCH OF ORANGEBURG COUNTY. No. 246.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. N. Carson, W. L. Elmy, R. B. Tarrant, Thos. J. Pow, H. J. Judy, M. A. Davis, L. P. Inabnit, John W. Argoe, H. J. Livingston and Geo. S. Davis, Trustees of the Boiling Springs Camp Meeting of the Methodist Episcopal Church in Orangeburg County, and their successors, be, and they are hereby, made and created a body politic and corporate, under the name and style of the Boiling Springs Camp Meeting Association of the Methodist Episcopal Church of Orangeburg County, South Carolina. Incorporation. Name.

SEC. 2. That the Stewards aforesaid, and their successors in office, shall have power to license or prohibit the sale of goods, wares and merchandise of any kind whatsoever by itinerant traders and salesmen within one-half mile of the camp ground; to appoint peace officers, who shall have power of policemen, and may arrest during the continuance of the meeting parties for disorderly conduct and carry them before the nearest Trial Justice for trial. Regulation of traffic. Powers of arrest.

SEC. 3. That it shall be unlawful for any itinerant trader or salesman to offer for sale any goods, wares or merchandise within one-half mile of the camp ground during the continuance of the meeting unless he shall have obtained a license from the said Board of Stewards. And any person violating the provisions of this Section, upon conviction before a Trial Justice, shall be Sales without license prohibited.

A. D. 1892.

fined in a sum of not exceeding twenty dollars or be imprisoned not exceeding ten days.

Penalty.

Public Act.

Duration.

SEC. 4. This Act shall be deemed a public Act, and continue in force until repealed.

Approved December 19th, A. D. 1892.

No. 247. AN ACT TO INCORPORATE PINE GROVE EVANGELICAL LUTHERAN CHURCH, IN ORANGEBURG COUNTY, SOUTH CAROLINA, AND TO PREVENT THE SALE OR BARTER OF SPIRITUOUS LIQUORS WITHIN ONE MILE OF THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members of the Pine Grove Evangelical Lutheran Church, in Orangeburg County, be, and the same are hereby, incorporated and declared to be a body corporate, by the name and style of the Pine Grove Evangelical Lutheran Church, and by that name and style shall have succession of officers and members, and shall have a common seal.

Incorporation.

Name, succession and seal.

Property rights.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any property, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same, and by its corporate name may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall from time to time be agreed upon by its members, or a majority of them.

Other powers.

Sale of liquors prohibited.

SEC. 3. That the sale or barter of intoxicating liquors, in any quantity whatever, be, and the same is hereby, expressly prohibited within a radius of one mile every way from said church; that no license, from any authority whatever, shall warrant such sale; and whoever shall be found guilty of a violation of this Act shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than one hundred nor more than five hundred dollars, and be imprisoned in the discretion of the Court.

Penalty.

Public Act.

Duration.

SEC. 4. That this Act shall be deemed and held to be a public Act, and shall continue in force until repealed.

Approved December 22nd, A. D. 1892.

AN ACT TO INCORPORATE TRINITY EVANGELICAL LUTHERAN CHURCH, IN ORANGEBURG COUNTY. A. D. 1892. No. 248.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the officers and members of the Trinity Evangelical Lutheran Church, in Orangeburg County, be, and the same are hereby, incorporated, and declared to be a body corporate, by the name and style of the Trinity Evangelical Lutheran Church, and by that name and style shall have succession of officers and members, and shall have a common seal. Incorporation. Name, succession and seal.

SEC. 2. That the said corporation shall have power to purchase, receive and hold any property, not exceeding in value the sum of twenty thousand dollars, and to sell, convey and dispose of the same; and by its corporate name may sue and be sued in any Court of this State; and to make such rules and by-laws, not repugnant to law, as it may consider necessary and expedient, and as shall, from time to time, be agreed upon by its members, or a majority of them. Property rights. Other powers.

SEC. 3. That this Act shall be deemed and held to be a public Act, and shall continue in force until repealed. Public Act. Duration.

Approved December 20th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF ORANGEBURG COUNTY TO DRAW THEIR WARRANT UPON THE COUNTY TREASURER IN FAVOR OF R. H. WAY, FOR THE SUM OF EIGHTY-ONE 15-100 DOLLARS. No. 249.

Whereas the County Commissioners of Orangeburg County on the 10th day of September, 1892, drew their check in favor of R. H. Way for the sum of eighty-one 15-100 dollars, in payment of voucher No. 209, and said check has been lost and never has been presented for payment. Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Orangeburg County are authorized and Warrant to be drawn.

A. D. 1892. directed to draw their warrant on the County Treasurer of said County in favor of R. H. Way for the sum of eighty-one 15-100 dollars, and the said Treasurer is hereby authorized and directed to pay the same.

And paid.

Approved December 24th, A. D. 1892.

No. 250. AN ACT RELATING TO THE PER DIEM OF THE COUNTY BOARD OF EQUALIZATION FOR PICKENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the following shall be the compensation of the County Board of Equalization for Pickens County: Each member of the County Boards of Equalization shall receive for his service, for each day actually employed in performing the duties enjoined upon him, one dollar and fifty cents per day, and five cents per mile each way as mileage for travel actually performed: *Provided*, That only one mileage shall be paid by said County Treasurer, to be paid out of the County treasury upon the warrant of the County Commissioners on the certificate of the County Auditor.

Compensation fixed.

Mileage.

Approved December 24th, A. D. 1892.

No. 251. AN ACT TO REDUCE AND REGULATE THE COMPENSATION OF JURY COMMISSIONER IN PICKENS COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act the Jury Commissioner in Pickens County shall receive one dollar and fifty cents per day for every day of actual service in performing the duties of his office—such number of days not to exceed in any case the number of days the

Compensation.

Number of days.

Court may be in session, together with five days additional in which to complete the lists and to draw the juries for the several terms of Court, and he shall also receive five cents per mile, going and returning, for all necessary and actual travel in performing the duties of his office. A. D. 1892. Mileage.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed as to Pickens County. Repealing clause.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE TOWN OF CALHOUN, IN PICKENS COUNTY. No. 252.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Calhoun shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Calhoun, and the limits shall extend one-half mile in every direction from the depot of the Air Line Railroad Company, so that the limits shall form a circle. Incorporation. Name and limits.

SEC. 2. Said town of Calhoun shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and to regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and limitations. 19 Stat., 174.

SEC. 3. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town. Sale of liquors prohibited.

SEC. 4. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act. Duration.

SEC. 5. This Act shall take effect immediately on its approval. When to take effect.

Approved December 24th, A. D. 1892.

A. D. 1892.
No. 253.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF PICKENS," APPROVED MARCH 26, 1869.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Pickens," approved March 26, 1869, be, and the same is hereby, amended by striking out all of said Act after the first Section thereof and inserting in lieu thereof the following :

A. A. 1869, 14 Stat., 265, amended.

Rights and limitations.

SEC. 2. That said town of Pickens shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, 1885, except Section 9 thereof.

19 Stat., 174.

Exception.

Assessment for taxation.

SEC. 3. That the said Town Council shall have power annually, on or before the thirty-first day of May of each year, to appoint three freeholders of the said town to assess the value of real estate for taxation, and said assessors, before entering upon their work, shall take an oath fairly and impartially to assess each parcel of real estate in said town, and a report in writing of the assessment as made by them shall be signed by said assessors, and the same filed in the office of the Clerk of said Council within the period of thirty days next ensuing upon the date of their appointment. That the said assessors shall receive compensation for their labor, the same to be fixed by the said Town Council, and any person who has been appointed to assess said real estate and shall refuse to perform the duties incident to said appointment shall be fined by said Town Council not more than twenty-five dollars. That the report of the assessment of real property for taxation shall remain in the office of the Clerk of said Town Council for inspection of land owners for thirty days next after the filing thereof, and that a written notice shall be served personally within one week after the filing of said report upon each owner of real estate, or his agent, in said town in cases where the valuation has been raised above that of the previous year, and it shall be in the power of the said Town Council, for good cause shown, to reduce such assessment if complaint against the same shall be made to them within thirty days next after filing the same for taxation. But after the expiration of said thirty days such assessment for taxation shall be final.

Oath.

Compensation.

Penalty for refusal to serve.

Report of assessment.

Notice to owners.

Changes in assessment.

Returns of property.

SEC. 4. That the said Town Council shall have power on or

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before the thirty-first day of May in each year to publish a notice to all the inhabitants of said town for four successive weeks, requiring every owner of personal property within the corporate limits of the same to make a fair and just return on oath before the Clerk of said Town Council within a time fixed in said published notice; and upon the failure of any person who is the owner, or is the agent of the owner, of any personal property within the limits of said town to make such return thereof for taxation, it shall be the duty of said Clerk to assess said personal property for taxation, and his assessment shall be final. But in case the Town Council disapproves the returns of personal property made by the owners or by the agent of the owners of said personal property for taxation, they shall have the power to compel each property owner, or the agent of such property owner, to appear before them and firmly account for the personal property of such owner or agent. And in case of neglect or refusal of the owner or agent to obey the summons of the Town Council to come before them, and account for his or her personal property, then and in such case the said Town Council may impose upon the said person so refusing a fine not to exceed the sum of twenty-five dollars for such neglect or refusal, and the said Town Council shall proceed to assess the personal property of the person who shall refuse to appear before them as aforesaid at what may in their judgment be its true value.

Assessment by Clerk.

Accounting required.

Penalty for refusing.

When tax is payable.

Enforcement.

Execution.

Lien for taxes.

Fees for collecting.

SEC. 5. That the said annual tax shall become due and payable at a time to be fixed by the said Town Council: *Provided*, The said tax does not exceed the sum of twenty cents on the one hundred dollars, and the said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property and the persons defaulters to the same extent and in the same manner as is provided by law for the collection of the general State tax, except that the execution to enforce the payment of the town taxes shall be issued under the corporate seal of the said town, signed by the Intendant and countersigned by the Clerk of the Council and directed to the Marshal or Chief of Police or other persons especially appointed by said Council to collect the same; and all property upon which a tax shall be levied shall be liable for the payment thereof in preference to all other debts due by the person owning the same at the time the tax was levied and assessed, except debts due the State and County, which shall be paid first. And it is further provided that the fees for the collection of the above named

A. D. 1892.

taxes shall be the same as those fixed by law for the Treasurer and Sheriff.

Business licenses.

SEC. 6. That the said Town Council are hereby empowered to require all persons, companies and corporations now engaged or who may hereafter be engaged in business or vocations of any kind whatsoever within the corporate limits of said town of Pickens to take out a license from the Intendant and Wardens

License fee.

of said town, who are hereby authorized to impose a reasonable tax or charge for the conducting of the same, and also that the Town Council be empowered to collect the same in way and manner as is provided for collecting taxes due the said town as heretofore provided.

Plays and shows.

SEC. 7. That the said Town Council shall have power to collect licenses or taxes from all persons representing publicly within its corporate limits, for gain or reward, any plays or shows, of what nature or kind soever, to be used for the purpose of the corporation.

Repealing clause.

SEC. 8. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 9. That this Act shall take effect from and after its approval.

Approved December 24th, A. D. 1892.

No. 254. AN ACT TO PROVIDE FOR THE ISSUING AND PAYMENT OF TOWN BONDS IN AID OF THE PICKENS RAILROAD.

Preamble.

Whereas, a majority of the owners of real estate in the town of Pickens, in the County of Pickens, did petition the corporate authorities of said town to submit to the voters thereof the question of subscription to the Pickens Railroad Company in bonds bearing interest at the rate of seven per cent. per annum, but not to be delivered to the said company till said railroad is completed and equipped; *and whereas*, under and by virtue of an order of the Town Council of the said town of Pickens, an election was held on the 12th day of May, 1892, whereby the said town of Pickens by its vote expressed its willingness to subject itself to taxation for the purpose of paying bonds to be issued by it in aid of said railroad in the sum of one thousand dollars ($1,000). Now, therefore, for the purpose of carrying into effect the expressed will of the people of said town,

A. D. 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Pickens is hereby authorized to subscribe to the capital stock of said company the sum of one thousand dollars, which subscription shall be in seven per cent. coupon bonds, the interest payable annually, said bonds to be made payable ten years after the date thereof, and to be of the denomination of one hundred ($100) dollars, which shall be received by said company at par.

Subscription authorized.

Description of bonds.

SEC. 2. That said bonds shall not be issued and delivered to the said railroad company until the railroad is completed and equipped, at which time the said bonds shall be delivered to the Treasurer of said railroad company.

Delivery of bonds.

SEC. 3. That the said town bonds when issued as aforesaid by the said Town Council for said town in aid of the said railroad are hereby declared to be debts of said town in the amount of one thousand dollars ($1,000).

Declared to be debt of town.

SEC. 4. That for the payment of the interest on the said bonds subscribed by the town of Pickens, the Town Council of said town are hereby authorized and required to assess annually upon the property of said town such per centum as may be necessary to pay said interest on said bonds, which shall be known as the railroad tax, at the same time and manner as other municipal taxes are collected, and shall be applied to the payment of said interest: *Provided*, That within three years of the time said bonds shall fall due the money to pay the same shall be raised by taxation in the same manner and paid out by said Town Council as provided above for the payment of the annual interest.

Annual tax to pay interest.

Tax to pay principal.

SEC. 5. That this Act shall take effect immediately on its approval.

When to take effect.

Approved December 20th, A. D. 1892.

NOTE.—For Act relating to running streams in Pickens County, see Act No. 56, ante p. 111.

AN ACT TO INCORPORATE THE CAPITAL CITY GUARDS, OF COLUMBIA, S. C.

No. 255.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1892.

Incorporation. Name.

John R. Nowell, F. W. Williams, Robert Nelson, Thomas Thomas, their associates and successors, be, and are hereby declared to be, a body corporate under the name of the Capital City Guards, of Columbia, S. C.

Corporate powers.

SEC. 2. That under the said name the said corporation shall have and use a corporate seal, and may alter the same at pleasure; may sue and be sued; may take, hold and secure to it and its successors real estate in fee or of any lesser estate, and the same again may sell, assign and convey: *Provided*, The value thereof in possession at one time does not exceed the sum of fifteen thousand dollars; and may own and possess personal property not exceeding twenty thousand dollars in value; and shall exercise and enjoy all corporate rights and privileges appertaining to such corporations, including the right to make, adopt and change at will a constitution and by-laws not repugnant to the laws of the land.

Property rights.

Other powers.

Public Act.

Duration.

SEC. 3. That this Act be deemed a public Act, and shall continue in force for the term of fourteen years, and until the adjournment of the session of the General Assembly of this State next after the expiration of said term.

Approved December 24th, A. D. 1892.

No. 256.

AN ACT TO INCORPORATE THE CHEROKEE CLUB.

Incorporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John M. Bateman, Isaac L. Withers, Gilbert M. Berry, T. Hugh Meighan, H. H. Shiver and Edwin W. Robertson, and their associates, who now compose the Cherokee Club, and their successors, be, and they are hereby, constituted a body politic and corporate, for social and literary purposes, by the name and style of the Cherokee Club.

Purposes and name.

Succession and powers.

SEC. 2. That the said corporation shall have succession of members and officers according to its by-laws, and shall have power to make such constitution and by-laws as are not repugnant to the laws of the land; to have, use and keep a common seal, and the same to alter at will; to contract and be contracted with; to sue and be sued; to take, hold, retain, possess and enjoy all

Property rights.

A. D. 1892.

such property, real and personal, as it may now have and possess, or which it may hereafter acquire by grant, purchase, devise, bequest or otherwise, and the same, or any part thereof, to sell, alien, encumber, mortgage or convey at its will and pleasure; and have generally all the rights, powers and privileges in law incident and appertaining to corporations: *Provided*, That the amount of property so held not exceed the sum of one hundred thousand dollars.

Mortgages. General powers. Limit.

SEC. 3. That the said corporation shall have full power and authority to issue coupon bonds for such amounts and upon such terms and conditions as it may determine, not to exceed, in the aggregate, the sum of fifty thousand dollars.

Coupon bonds.

SEC. 4. That the members of the said corporation or club shall not be individually liable for any of the debts or obligations of the said club, nor shall they be subject to any of its liabilities.

Liability of members.

SEC. 5. That all the rights and interest of each member in the estate, property, privileges and franchises belonging to the corporation shall cease at his death, or when his membership in the corporation is terminated by resignation, expulsion or otherwise. No intoxicating liquors shall be sold or dispensed by said club.

Duration of interest of members. Sale of liquors prohibited.

SEC. 6. That this Act shall be deemed and taken as a public Act, and shall take effect from the date of its approval, and continue of force until repealed.

Public Act. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AMEND THE CHARTER OF THE TITLE GUARANTEE AND TRUST COMPANY OF SOUTH CAROLINA.

No. 257.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two (2) of an Act entitled "An Act to incorporate the Title Guarantee and Trust Company of South Carolina," approved December 23, 1889, be amended so as to read as follows:

A. A. 1889, § 2, 20 Stat., 578, amended.

SECTION 2. The capital stock of said company shall be one hundred thousand dollars, and the same may be increased from time to time, if the majority in interest of the stockholders of said company shall so determine, to a sum not exceeding five

Capital stock.

A. D. 1892.

Shares.

hundred thousand dollars. Such capital stock shall be divided into shares of one hundred dollars each, and shall be deemed personal property. And the said corporation shall have authority in its by-laws or by its Board of Directors to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock or for collecting and enforcing by sale or otherwise all subscriptions made thereto. Said company may organize and commence business whenever twenty-five thousand of its capital stock shall have been subscribed, and such part thereof paid in as may be called for by the Board of Directors.

When to commence business.

Approved December 15th, A. D. 1892.

NOTE.—FOR Act relating to bridges over the Congaree and Broad Rivers at and near Columbia in Richland County, see Act No. 210, p. 300.

No. 258. AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT, ACCORDING TO LAW, AN ADDITIONAL TRIAL JUSTICE FOR SPARTANBURG COUNTY, TO BE LOCATED AT OR NEAR HOBBY'S, AND TO DEFINE THE TERRITORIAL JURISDICTION OF THE TRIAL JUSTICE AT CROSS ANCHOR, IN SAID COUNTY, AND OF THE TRIAL JUSTICE AT CROSS KEYS, IN UNION COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to appoint an additional Trial Justice in Spartanburg County, to reside at or near Hobby's, in said County, who shall have same jurisdiction and receive the same pay as other Trial Justices in said County.

Governor to appoint.

Location, jurisdiction and pay.

SEC. 2. That the jurisdiction of the Trial Justices at Cross Anchor, in said County, shall extend over and be confined to the following limits in Union County, to wit: That portion of Union County situated and being between Enoree and Tyger Rivers and five miles from the Spartanburg and Union line between said rivers, and shall have general jurisdiction in Spartanburg County.

Jurisdiction of Trial Justice at Cross Anchor.

SEC. 3. That the jurisdiction of the Trial Justice at Cross Keys, Union County, shall, in addition to his present jurisdiction, extend also over so much of Spartanburg County as is within seven miles from said Cross Keys.

Jurisdiction of Trial Justice at Cross Keys.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE SCHOOL COMMISSIONER OF SPARTANBURG COUNTY TO APPROVE CERTAIN TEACHERS' CERTIFICATES IN SCHOOL DISTRICTS NO. 10 AND 45, AND TO DIRECT THE COUNTY TREASURER OF SAID COUNTY TO PAY THE SAME.

A. D. 1892.

No. 259.

Preamble and recitals.

Whereas Julia Williams, Sallie Barnett and J. K. Hottal, under contract with the Trustees of School Districts No. 10 and No. 45, respectively, in Spartanburg County, taught in the free schools of said school districts, to wit: The said J. K. Hottal for the month of September, 1889, and the said Sallie Barnett for the months of August and September, 1889, and the said Julia Williams for the month of August, 1888, and the months of July, August and September, 1889, and their respective certificates were approved by the Trustees of said districts, that of J. K. Hottal in the sum of twenty-two and fifty one-hundredths dollars, that of Sallie Barnett in the sum of thirty dollars, and that of Julia Williams in the sums of twenty dollars and fifty dollars, but were not approved by the School Commissioner as the amounts were in excess of the apportionment of funds for said school districts.

Certificates to be approved and paid.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Spartanburg County be, and is hereby, required to approve said certificates, and to direct the County Treasurer of said County to pay the amounts expressed in said certificates and named above out of the funds collected and apportioned to said school districts respectively from the levy of taxes for the fiscal year ending October 31st, 1892; and if there be no available funds from such funds of such fiscal year, then from the like funds to be collected and apportioned from the levy for the fiscal year ending October 31st, 1893.

Out of what funds.

When to take effect.

SEC. 2. That this Act shall take effect immediately upon its approval.

Approved December 22nd, A. D. 1892.

A. D. 1892.

No. 260.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO DRAW THEIR WARRANTS UPON THE COUNTY TREASURER OF SAID COUNTY, IN PAYMENT FOR EXTRA SERVICES RENDERED AS COUNTY COMMISSIONERS, IN FAVOR OF C. A. BARRY, J. A. DEBARD AND F. M. SEXTON, AND TO DIRECT THE COUNTY TREASURER TO PAY THE SAME.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Claims to be audited.

County Commissioners of the County of Spartanburg are hereby authorized and required to audit the claims of C. A. Barry, J. A. DeBard and F. M. Sexton, for the sums of eighty dollars, one hundred and twenty dollars, and one hundred and twenty dollars, respectively, for extra services rendered by them as County Commissioners for said County in the years 1891 and 1892; and said County Commissioners are hereby authorized and required to

Warrants to be issued.

issue to said parties their warrants upon the County Treasurer of said County for said sums, to be paid out of the levy for general County expenses.

And paid.

SEC. 2. That the County Treasurer of said County of Spartanburg do pay said warrants when drawn, out of the levy for general County expenses.

When to take effect.

SEC. 3. That this Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to running streams in Spartanburg County, see Act No. 58, ante p. 111.

For Act fixing compensation of County Board of Equalization and Township Assessors, in Spartanburg County, see Act No. 98, ante p. 167.

No. 261. AN ACT TO REGULATE THE DRAWING AND TERM OF SERVICE OF JURORS IN THE COUNTY OF SUMTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Jurors to be drawn.

for the first or Spring and Fall terms of the Court of Common Pleas and General Sessions for the County of Sumter thirty-six

jurors shall be drawn for each term, in the manner provided by law, to serve for the first week of each term, and a like number shall be so drawn to serve for the remainder of said terms respectively, and separate writs of venire shall issue for the jurors drawn as aforesaid: *Provided*, That whenever a jury shall be charged with a case such jury shall not be discharged by reason of anything in this Act contained until a verdict shall have been found or a mistrial ordered in such case. A. D. 1892. Term of service. To serve until case is ended.

SEC. 2. That Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed to the extent of such inconsistency. Repealing clause.

Approved December 24th, A. D. 1892.

A JOINT RESOLUTION TO AUTHORIZE THE SALE OF THE OLD JAIL AND PART OF THE JAIL LOT IN SUMTER COUNTY. No. 262.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter County be, and they are hereby, authorized to sell and to convey the old jail, and as much of the jail lot, and in such parcels as they deem best, at public or private sale, on such terms, for cash, part cash, or credit, taking security for any credit portion, as they deem best, and the money or moneys received from such sale shall be paid into the County treasury for the benefit of the general County funds. Sale of jail and lot. Appropriation of proceeds.

SEC. 2. That this Joint Resolution shall go into effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO AUTHORIZE AND EMPOWER THE CITY OF SUMTER TO FUND ITS BONDED INDEBTEDNESS IN COUPON BONDS. No. 263.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

General Assembly, and by the authority of the same, That the City Council of Sumter be, and they are hereby, authorized and empowered to fund the existing bonded indebtedness of the city of Sumter, amounting to ($8,000.00) eight thousand dollars, and maturing on the first day of January, 1894, by issuing coupon bonds for the same, bearing interest at a rate not exceeding six per cent. per annum, payable annually or semi-annually as the City Council of Sumter may determine, and maturing not later than ten years from the date of issue; the same to be signed by the Mayor of the city of Sumter and countersigned by the Clerk and Treasurer of the said city, and the seal of the said city to be affixed thereto. The said bonds shall be in such denominations as the City Council of Sumter may determine; and a correct register of the same shall be kept by the said Clerk and Treasurer. The said bonds shall not be taxable for municipal or school purposes other than the Constitutional two mill tax, and coupons upon the same shall be receivable for all taxes levied or assessed by the city of Sumter. The said bonds shall constitute a lien upon all the property of the city of Sumter. Full power is hereby given to the City Council of Sumter to provide by ordinance for the payment of the interest upon said bonds, and principal when due, and the amount or amounts which may be assessed or levied for these purposes shall be a lien upon the property of said city, and shall be collected by the said Clerk and Treasurer at the same time and in the same manner and under the same process as the said taxes of the city of Sumter are collected, for the purpose of paying the said interest or principal, if any be due.

Funding authorized.

Description of bonds.

Execution.

Denominations.

Register.

Non-taxable.

Coupons receivable for taxes.

Lien.

Payment.

Approved December 15th, A. D. 1892.

No. 264. AN ACT TO AUTHORIZE THE CITY OF SUMTER TO ISSUE COUPON BONDS FOR THE PURPOSE OF ERECTING A CITY HALL AND IN MAKING OTHER IMPROVEMENTS, AND PROVIDING FURNITURE FOR THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of the city of Sumter is hereby authorized and em-

powered to issue coupon bonds to the amount of twenty thousand (20,000) dollars, if so much be necessary, for the purpose of erecting a city hall and other buildings, and for the purpose of furnishing said buildings, upon a lot of land in the city of Sumter lying East of Main street, upon a part of which lot of land a city hall recently stood. A. D. 1892. Issue of bonds. Purposes.

SEC. 2. The said bonds shall mature in not less that twenty years from the date of issue, and shall bear interest at a rate not to exceed six per cent. per annum, which interest shall be made payable at such times as the City Council may determine. The City Council of said city shall fix the denomination of the bonds, and the same shall be signed by the Mayor of said city and countersigned by its Clerk and Treasurer, who shall affix the city seal thereto, and a correct registry of said bonds shall be kept by said Clerk and Treasurer. Description of bonds. Execution. Registry.

SEC. 3. The coupons of said bonds shall be receivable for all taxes in said city. Said bonds shall constitute a lien upon all the property improved by the money arising from their sale, and shall not be taxable for municipal or public school purposes, other than the Constitutional two mill tax. Coupons receivable for taxes. Lien. Non-taxable.

SEC. 4. That for the purpose of paying the interest on said bonds, and the principal when due, it shall be the duty of the said City Council to compute annually the amount necessary to be raised, and to assess and levy the same upon all the real and personal property in the city of Sumter, and the amount so assessed and levied shall be a lien upon such property, and shall be collected by the Clerk and Treasurer of the city of Sumter at the same time and in the same manner and under the same powers as the other city taxes of the city of Sumter are collected, and shall be used for said purpose and none other. Annual tax levy. Lien. Collection.

SEC. 5. This Act shall take effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO ABOLISH GOSHEN HILL VOTING PRECINCT, IN UNION COUNTY, AND TO ESTABLISH IN LIEU THEREOF A VOTING PRECINCT TO BE KNOWN AS BLACK ROCK. No. 265.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

Precinct changed.

General Assembly, and by the authority of the same, That the voting precinct known as Goshen Hill, in Union County, be, and the same is hereby, abolished, and in lieu thereof a voting precinct is hereby established in said County to be known as Black Rock.

Approved December 24th, A. D. 1892.

No. 266. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER-GENERAL TO DRAW HIS WARRANT UPON THE STATE TREASURER IN FAVOR OF J. R. BLANTON, AUDITOR OF UNION COUNTY, FOR FORTY-ONE 66-100 DOLLARS FOR SALARY DUE HIM, AND TO REQUIRE THE STATE TREASURER TO PAY SAME.

Preamble.

Whereas J. R. Blanton was appointed Auditor of Union County and there is now due Union County the sum of forty-one 66-100 dollars for salary for the month of April, 1892.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the

Warrant to be drawn.

Comptroller-General is authorized and directed to draw his warrant upon the State Treasurer in favor of J. R. Blanton for the sum of forty-one 66-100 dollars for salary as Auditor for the

And paid.

month of April, 1892, and the State Treasurer is authorized and directed to pay same.

Approved December 24th, A. D. 1892.

No. 267. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF CARLISLE, IN UNION COUNTY," APPROVED DECEMBER 22ND, A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. A. 1891, §§ 2, 3, 20 Stat., 1484, amended.

General Assembly, and by the authority of the same, That Sections 2 and 3 of an Act entitled "An Act to incorporate the town

of Carlisle, in Union County," approved December 22nd, A. D. 1891, be, and the same are hereby, repealed, and the following inserted in lieu thereof, to be known as Sections 2 and 3: A. D. 1892.

SECTION 2. That the said town of Carlisle shall have all the rights, powers and privileges, and be subject to all the provisions and limitations, enumerated and contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved 23rd, A. D. 1885. The first election for Intendant and Wardens of said town shall be held on the fourteenth day of January, 1893, between the hours of 9 A. M. and 4 P. M., and J. G. Rice, W. R. Stokes and W. F. Bates are hereby appointed managers to hold said election, count the votes and declare the result: *Provided*, No spirituous or intoxicating liquors shall be sold within the corporate limits of said town. Rights and limitations. 19 Stat., 174. First election. Sale of liquors prohibited.

Approved December 24th, A. D. 1892.

AN ACT TO RENEW THE CHARTER OF THE TOWN OF UNION. No. 268.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority same, That the charter of the town of Union, in Union County, and all the Acts amendatory thereto now of force, be, and the same are hereby, renewed for the term of twenty years from the date of the passage of this Act. Renewed for 21 years. See 15 Stat., 7.

Approved December 24th, A. D. 1892.

AN ACT TO ESTABLISH THE UNION SCHOOL DISTRICT, TO AUTHORIZE THE ESTABLISHMENT OF FREE GRADED SCHOOLS THEREIN, AND TO PROVIDE THE MEANS FOR THE EFFICIENT MANAGEMENT OF THE SAME. No. 269.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1892.

Created. the territory embraced within the corporate limits of the town of Union, in said State, be, and the same is hereby, declared a separate school district; that it be vested with such corporate

Corporate powers. powers as may be necessary to carry out the purposes of its organization as declared by this Act.

Board of Trustees. SEC. 2. That John A. Fant, Jr., H. M. Grimball, W. E. Thomson, James A. Rodger, L. G. Young and Reuben T. Gee, and their successors in office, be, and they are hereby, constituted and appointed a Board of Trustees for said school district, and they are hereby declared to be the legal successors of the Trustees of Unionville Male and Female Academies, and are

Succession to academies. hereby vested with the title to all the real and personal property now held and owned by said Trustees, and said Board of Trus-

Vacancies. tees shall alone have the power to fill vacancies caused therein by death, resignation or otherwise. The said Board of Trustees

Powers. shall have all the powers now provided by law for Trustees of school districts. They shall at their first meeting after the pass-

Officers. age of this Act organize by electing a Chairman and Secretary.

Local school tax. SEC. 3. That said Trustees are hereby authorized and empowered, on or before the first day of June in each year, to levy on all real and personal property returned for taxation in said school district a local tax not exceeding three mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The

Annual meeting of tax-paying voters. Board of Trustees, on or before the 15th day of May in each year, shall call a meeting of all the legal voters living in the said school district and returning real or personal property therein:

Notice to be given. *Provided*, That public notice of said meeting, specifying the time, place and object, shall be given at least ten days before said meeting by posting the same in three conspicuous places in said school district and publishing the same at least twice in a newspaper, if any published, in said school district. The persons answering

Powers of meeting. the above description when thus assembled shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied, not to exceed

Tax and its repeal. three mills on the dollar. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chair-

Notification, assessment and collection of tax man shall one week thereafter notify the County Auditor of Union County of the amount of tax levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer of said County shall collect said tax with the other taxes

A. D. 1892.

for the same year, and the said tax shall be collected and enforced in the same manner provided for State and County taxes.

Powers of Trustees.

SEC. 4. That the Trustees herein provided for shall have exclusive control of the public schools within said school district, and shall be invested with all the powers of School Trustees under the general law. They may organize schools, purchase or lease school property, erect school buildings, elect superintendents and teachers, and fix their salaries, prescribe the text books to be used and the rates of tuition to be paid by pupils not entitled to the benefit of the free school fund of said district, and may make rules and regulations for the control of the schools and the school property not repugnant to law. They are hereby authorized and empowered to sell and convey the lot upon which the Brick Male Academy is located in the town of Union, held and owned by the Trustees of Union Male and Female Academies, and apply the proceeds to the payment of furnishing school building and fencing grounds, and to any of the purposes enumerated in this Act.

Sale of lot authorized.

Use of proceeds.

Disbursement of school funds.

SEC. 5. All moneys issued and collected for school purposes shall be paid out by the County Treasurer for salaries and other school purposes upon the warrant of the Chairman and Secretary of the Board of Trustees, and all school moneys arising from the capitation tax upon the polls in said school district, as well as from Constitutional school tax, or from any and all other public sources applicable to said district, shall be paid out by the Treasurer in like manner and upon like warrant.

Collection of past tax.

SEC. 6. That the tax heretofore assessed and levied in said school district shall be collected by the Treasurer, and shall be paid out by him as provided in Section 5 of this Act, and nothing herein contained shall be construed to repeal or abrogate or defeat said tax.

Repealing clause.

SEC. 7. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

AN ACT TO EXTEND THE CHARTER OF THE UNION BUILDING AND LOAN ASSOCIATION, OF UNION. No. 270.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

A. D. 1892.

Extended. 15 Stat., 862. For 10 years.

General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Union Building and Loan Association, of Union," approved February 23, 1875, be, and the same is hereby, continued of force for the period of ten years from the day that this Act takes effect.

Approved December 20th, A. D. 1892.

NOTE.—For Act imposing on County Commissioners of Union the duty of investigating damages caused by the sinking of a flat in Tyger River, see Act No. 222, ante p. 317.

For Act relating to the Trial Justice and Constable at town of Union, in Union County, see Act No. 240, ante p. 335.

For Act relating to jurisdiction of the Trial Justice at Cross Keys, in Union County, see Act No. 256, ante p. 350.

No. 271. AN ACT TO REDUCE THE NUMBER OF NAMES TO BE PLACED IN THE SEPARATE APARTMENT IN THE JURY BOX, KNOWN AS THE TALES BOX, FOR THE COUNTY OF WILLIAMSBURG TO THE NUMBER OF SEVENTY-FIVE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, in the County of Williamsburg, the number of names to be placed in the separate apartment of the jury box, known as the tales box, for each year shall be seventy-five.

Number in tales box.

Repealing clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and they are hereby, repealed, as to Williamsburg County.

Approved December 24th, A. D. 1892.

No. 272. AN ACT TO EXEMPT FOR A PART OF EACH YEAR A CERTAIN SECTION OF WILLIAMSBURG COUNTY FROM THE OPERATION OF CHAPTER XXVII, TITLE X, PART I, OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act that certain territory and

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section of Williamsburg County hereinafter described shall be exempt, from the 15th day of December each year until the 15th day of March following in each year, from the operation of Chapter XXVII, Title X, Part I, of the General Statutes, relating to the General Stock Law and fencing stock, viz.: Beginning on Holmes Swamp, North of the residence of Maj. J. B. Chandler, and thence a Northwesterly direction to Eliza Church; thence with the old Georgetown Road to the residence of Mrs. Coleman; thence a line across to the Potato Ferry Road at Ellis McClary's; thence following the Potato Ferry Road to its intersection by Aunt Ann's Branch.

Exemption for three months.

Boundaries.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved December 22nd, A. D. 1892.

AN ACT TO EXEMPT A CERTAIN PORTION OF ANDERSON AND PENN TOWNSHIPS, IN WILLIAMSBURG COUNTY, FROM THE PROVISIONS OF CHAPTER XXVII OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW.

No. 273.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following additional portion of Anderson and Penn Townships, in Williamsburg County, now embraced by the following boundaries, to wit: By a line beginning at a point on Black River, at what is known as the Lower Bridge and on the West side of Lenud's Ferry road; thence running with said Lenud's Ferry road and on the West side thereof to the intersection of the said Lenud's Ferry road with the Georgetown and Western Railroad; thence following the line of the fence now running from the said intersection to Black River; thence following up Black River to the first point at said Lower Bridge above mentioned, (Black River being the last named line and boundary,) be, and the same is hereby, exempt from the operations of Chapter XXVII of the General Statutes, relating to the General Stock Law.

Additional exemption.

Boundaries.

Exemption declared.

SEC. 2. That the County Commissioners of said County are authorized and directed to remove the fence from where it now runs from said intersection of Lenud's Ferry road with said rail-

Removal of fence.

A. D. 1892.

New fence.

road to Black River, and build a lawful fence on the line beginning at a point on Black River at what is known as the Lower Bridge, and on the West side of the Lenud's Ferry road, and running from said point down the West side of said road to the intersection of said road with the Georgetown and Western Railroad to the point where said fence now leaves said intersection to run to Black River: *Provided,* That the said County Commissioners shall levy a special tax upon the assessed value of all the cattle, hogs, sheep, dogs and goats embraced in such section, exempted as aforesaid, sufficient to remove said old fence and to build said new fence; and whenever it becomes necessary to repair the same, they shall levy a tax, as above provided, sufficient for said purpose.

Special tax.

Collection of tax.

SEC. 3. That the County Treasurer of said County is hereby empowered and authorized to collect the tax provided for in this Act as now provided by law for the collection of State and County taxes.

When to take effect.

SEC. 4. That this Act shall go into effect from and after the provisions of Sections 2 and 3 of same are complied with.

Approved December 24th, A. D. 1892.

No. 274. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY SCHOOL COMMISSIONER OF WILLIAMSBURG COUNTY TO APPROVE, AND THE COUNTY TREASURER TO PAY, THE FOLLOWING SCHOOL TEACHERS' PAY CERTIFICATES FROM THE FOLLOWING DISTRICTS: FROM DISTRICT No. 6, THREE CERTIFICATES TO A. M. COOPER FOR $24 EACH, TO WIT, $72; TWO CERTIFICATES TO E. A. COOK FOR $20 EACH, TO WIT, $40; ONE CERTIFICATE TO MISS A. B. SIMMONS FOR $24, AND ONE CERTIFICATE TO W. H. SCOTT FOR TWENTY DOLLARS; AND FROM DISTRICT No. 1, ONE CERTIFICATE TO F. A. MAXWELL FOR $20; FROM DISTRICT No. 7, ONE TO E. E. MCCOTTRY FOR $8; FROM DISTRICT No. 12, ONE TO J. W. SIMMONS FOR $40; FROM DISTRICT No 17, ONE TO J. J. BROWN FOR $60, AND FROM DISTRICT No. 36, ONE TO E. M. SMITH FOR $15, AND ONE CERTIFICATE TO L. D. GRAHAM FOR $12.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in

General Assembly, and by the authority of the same, That the County School Commissioner of Williamsburg County be authorized and required to approve and order paid, and the County Treasurer of Williamsburg County be authorized and required to pay, out of, and charge to, the school funds now on hand for, or hereafter to be apportioned to, the several school districts for which the services hereinafter mentioned were rendered, and teachers' pay certificates given, the following named sums of money on teachers' pay certificates held by the following named persons for teaching public schools under the authority of the School Trustees for such district for the years as stated, viz.: For the year A. D. 1892, from School District No. 6, three certificates to A. M. Cooper for $24 each, making seventy-two dollars, and two certificates, same district, same year, to E. A. Cook for $20 each, making to him forty dollars, and from same district, same year, one certificate to Miss A. B. Simmons for twenty-four dollars, and for the same year the following others, to wit: From District No. 7, one certificate to E. E. McCottry for eight dollars; from District No. 12, one certificate to J. W. Simmons for forty dollars; from District No. 17, one certificate to J. J. Brown for sixty dollars, and from District No. 36, one certificate to E. M. Smith for fifteen dollars, and for the year A. D. 1881, from School District No. 1 of said County, one school teacher's pay certificate to F. A. Maxwell, teacher, for the sum of twenty dollars, and one pay certificate to L. D. Graham for $12.

A. D. 1892.

Approval and payment directed.

A. M. Cooper.

E. A. Cook.

A. B. Simmons.

E. E. McCottry.

J. W. Simmons.

J. J. Brown.

E. M. Smith.

F. A. Maxwell.

L. D. Graham.

Approved December 24th, A. D. 1892.

NOTE.—For Act fixing the compensation of County Board of Equalization and Township Assessors in Williamsburg County, see Act No. 98, ante p. 167.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT THE COUNTY COMMISSIONERS OF YORK COUNTY FROM GRANTING AID TO THE OUTSIDE POOR, EXCEPT AS HEREIN PROVIDED," APPROVED DECEMBER 23, A. D. 1886. No. 275.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an

A. D. 1892.

A. A. 1886, 19 Stat., 596, amended.

Act entitled "An Act to prohibit the County Commissioners of York County from granting aid to the outside poor, except as herein provided," approved December 23, A. D. 1886, be, and the same is hereby, amended by adding at the end of said Act the following, to wit: "or the widows of deceased Confederate soldiers." So that said Act when so amended shall read as follows:

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall not be lawful for the County Commissioners of York County to appropriate or expend any moneys for the relief or support of outside poor of said County, except for those who have been disabled by wounds received during the late war, or by diseases contracted in consequence of their service in the same, or the widows of deceased Confederate soldiers.

No aid to outside poor.

Exceptions.

Approved December 24th, A. D. 1892.

No. 276. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN YORK COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN,' APPROVED DECEMBER 23D, 1887," APPROVED DECEMBER 24TH, A. D. 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to provide for the establishment of a new school district in York County and to authorize the levy and collection of a local tax therein,' approved December 23d, 1887," approved December 24th, A. D, 1888, be, and the same is hereby, amended by striking out all after the word "thence" on the twelfth line of said Section down to and including the word "Creek" on the fifteenth line thereof, and inserting the following: "Along the Yorkville and Rutherfordton Road East two thousand (2,000) feet, thence in a straight line to Hardin's old mill on Doolittle Creek, thence along Doolittle Creek to the ford at the Chester Road." So that said Section as amended shall read:

A. A. 1888, § 1, 20 Stat., 242, amended.

A. D. 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in the town of Blacksburg, in York County, the County Board of Examiners of York County be, and they are hereby, authorized and required to lay off a new school district, which shall embrace the following described area, to wit:

Blacksburg School District established.

Area.

Beginning at Morgan's Bridge, on Buffalo Creek, and running thence up said creek to a point half of a mile below Moore's Mill; thence in a straight line to Mintz's saw mill; thence in a straight line to Frank Moore's cross road; thence along the Yorkville and Rutherfordton Road East 2,000 feet; thence in a straight line to Hardin's old mill, on Doolittle Creek; thence along Doolittle Creek to the ford at the Chester Road; thence in a straight line to the beginning; and the area thus enclosed shall constitute the said school district.

Approved December 24th, A. D. 1892.

No. 277.

AN ACT FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF YORK, TO BE KNOWN AS THE EBENEZER SCHOOL DISTRICT, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the area embraced in the following boundaries, to wit: Beginning at a rock about one hundred and fifty yards North of the Charleston, Cincinnati and Chicago Railroad on the lands of Peter Garrison in Ebenezer Township in York County, running thence N. 42 E. 173 chains to a rock on lands of Jesse Harris; thence S. 44 E. 280 chains to a hickory tree on lands of Mrs. M. L. Neely; thence S. 42 W. 168 chains to stake on lands of Rock Hill Town Site Company; thence S. 59 W. 112 chains to large black gum on bank branch on lands of R. W. Roach; thence N. 44 W. 160 chains to stake on lands of W. J. Rawlinson; thence N. 10 E. 155 chains to the beginning, embracing an area of about ten square miles, having for its centre Ebenezer Academy, situated

Area of School District.

A. D. 1892.

on Ebenezer Church lot, be, and the same is hereby, created a special school district in said County, to be known as the Ebenezer School District, and shall be a body politic and corporate, with such rights, privileges and liabilities as are provided for school districts by the General School Law of South Carolina: *Provided*, The lands and personal property of Samuel Roach and of R. W. Roach shall be exempt from the operations of this Act, and they, the said Samuel Roach and R. W. Roach, shall not be members of the body corporate composing the said school district.

Creation, name and incorporation.

Rights, &c.

Exemptions.

Local school tax.

SEC. 2. That in addition to the rights and privileges hereinbefore granted, the said school district shall have power to levy on all real and personal property returned in said district, except on the property of Samuel Roach and R. W. Roach, whose property has been hereinbefore excepted, a tax not exceeding two mills on the dollar, subject to the following provisions: The School Trustees of said district shall at any time previous to the 25th day of February of each year, upon the written request of five property holders, issue a call for a public meeting of all those citizens of said district and State who return real or personal property in said district; and such notice shall be published in a newspaper and posted in two public places in said district for at least two weeks before such meeting, and shall specify time and place and object of such meeting. When so assembled, the persons answering the above description shall have power first to elect a Chairman and Secretary, adjourn from time to time, decide what tax, if any, in addition to the Constitutional school tax apportioned to the schools of said district, not to exceed the limits hereinbefore mentioned, shall be assessed and levied, and to assess and levy the same for educational interests of said district, under the direction of the Trustees thereof: *Provided*, That no tax thus assessed and levied shall be repealed at any subsequent meeting. Second, and in case any vacancy in the Board of Trustees should exist, they shall also have power to nominate (subject to the approval of the remaining members of said Board of Trustees of said district) proper persons to fill such vacancy. At all of such meetings, only those persons shall vote who are citizens of said State, residing in said district, and who return real or personal property within said district for taxation.

Annual meeting of taxpayers.

Notice to be given.

Powers of meeting.

Tax not to be repealed.

Vacancies in Board.

Notification, assessment and collection of tax.

SEC. 3. That it shall be the duty of the Chairman and Secretary of said meeting, within one week after the said meeting has been held, to notify the Chairman of the Board of Trustees for

said school district and the Auditor of said County of the amount of the tax thus assessed and levied by said school district, and the County Auditor shall at once enter such tax on all real and personal property returned in said school district, and the County Treasurer shall collect the same with the State and County taxes. And such tax shall be a lien upon all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.

Lien.

Disposition of money.

SEC. 4. That the money collected from said tax levy and the Constitutional poll and two mill tax to which said district is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said school district, and said Treasurer shall be liable to said school district for the non-performance of his duty in respect to said money in the same manner and to the same extent, and under like penalties, as for the non-performance of his duties in reference to State and County taxes.

Liability of Treasurer.

Board of Trustees.

SEC. 5. That J. H. Barry, A. A. Barron, S. A. Fewell, A. B. Fewell, R. G. Garrison, John H. Steele and J. A. Shurley, and their successors to be appointed under the provisions of this Act, be, and the same are hereby, constituted a Board of Trustees for said school district, and who shall hold said office of Trustees during residence in said school district or good behavior.

Term.

Powers of Board.

SEC. 6. That the said Board of Trustees, in addition to the duties and powers now provided by the General School Law for Trustees of school districts, shall have the following duties and powers: 1. To select and purchase suitable buildings and grounds, and to erect suitable buildings and other improvements for the use of the public schools of said district. 2. To elect and dismiss the superintendents and teachers of said school district, prescribe their duties, terms of office and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary; also to determine the class of books and studies to be used in said schools, and to make rules and regulations for the government of said schools, and to prescribe and regulate the terms and conditions upon which parties residing without the limits of said district may be admitted into the public schools thereof. 3. To assess upon scholars as supplementary tuition fees such sum or sums as may be necessary to meet the expenses of the school attended by them. 4. To determine and direct the manner in which the tax hereinbefore authorized, and the Constitutional poll and two mill tax provided by law, shall be

Buildings, &c.

Teachers.

Studies.

Regulations.

Tuition.

A. D. 1892.

expended in maintaining the public schools of said district, and to disburse the same upon their warrants drawn upon the County Treasurer as aforesaid. 5. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise.

Disbursement of funds.

Vacancies.

Annual Report.

SEC. 7. The Board of Trustees shall make an annual report of the schools of said district to the State Superintendent of Education on or before the 1st day of October in each year, to be forwarded through the office of the School Commissioner of York County, and which said annual report shall show the average number of pupils attending the free public schools of said district, and from which shall be apportioned to the said school district its proportionate part of the school fund as provided by the General School Law.

Jurisdiction of School Commissioner excluded.

SEC. 8. That the School Commissioner of York County shall have jurisdiction only over the schools and educational interests of said County not comprised within the limits of said school district.

When to take effect.

Repealing clause.

SEC. 9. That this Act shall take effect from the date of its passage, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1892.

No. 278. AN ACT TO VALIDATE AND TO CONFIRM CERTAIN BONDS OF THE TOWN OF ROCK HILL, KNOWN AS STREET BONDS, AND TO RATIFY THE ISSUANCE THEREOF BY THE TOWN COUNCIL OF SAID TOWN.

Preamble.

20 Stat., 1494.

Whereas, pursuant to the Act of the Legislature of this State entitled "An Act to authorize the Town Council of Rock Hill, South Carolina, to issue bonds for the purpose of defraying expenses already incurred in improving the streets, and for further improving the streets, of said town, and to provide for the payment of the interest on the same," approved December 16th, 1891, the said Town Council of Rock Hill issued ten coupon bonds of the denomination of fifty dollars each, ten bonds of the denomination of one hundred dollars each, and seventeen bonds of the denomination of five hundred dollars each, each bearing date the ninth day of January, 1892, and made payable in twenty years: *And whereas* the six per cent. interest coupons on each

Recital of mistake.

and all of said bonds issued under and in pursuance of the said Act herein referred to have been made to mature and become due and payable semi-annually on the ninth day of January and July of each year ensuing the date thereof, instead of on the tenth day of January and July, as provided for in the said Act, and the said bonds having been sold and hypothecated by the said Town Council, and now being held by various parties *bona fide* for value. A. D. 1892.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said ten coupon bonds of the denomination of fifty dollars each, and the ten of the denomination of one hundred dollars each, and the seventeen of the denomination of five hundred dollars each, numbered 121 to 157, inclusive and consecutively, and known as "street bonds," are hereby ratified and confirmed, and declared to be the debt of the said Town Council according to the terms and conditions of the said bonds, and to have the same validity that they would have possessed had they been issued in strict conformity to the said Act. Bonds confirmed. Made a debt of the town.

SEC. 2. That all the provisions of the said Act herein referred to with reference to the object of the issue of the said bonds, and the levy of taxes to pay the same, with interest thereon, be regarded, and are hereby declared to be, applicable to the said bonds issued in pursuance of said Act, and are herein ratified and declared to be the debt of said Town Council of Rock Hill. Provisions made applicable

SEC. 3. That this Act shall take effect immediately after its approval. When to take effect.

Approved December 24th, A. D. 1892.

AN ACT TO INCORPORATE THE CITY OF ROCK HILL. No. 279.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State, having resided twelve months within this State and sixty days within the corporate limits of the city of Rock Hill, shall be deemed, and are hereby declared to be, a body politic and corporate; and the Incorporation.

A. D. 1892.

said incorporation shall be called and known by the name of "The City of Rock Hill," and its corporate limits shall extend over the area of a square, each side whereof is two miles, and the centre whereof shall be a point in the middle of Main Street, opposite the Methodist Church, the sides forming the sides of said square being respectively parallel and perpendicular to (a line drawn parallel to) said Main Street as it lies in front of said Methodist Church.

Name and limits.

Wards.

Ward 1.

Ward 2.

Ward 3.

Ward 4.

SEC. 2. The said city of Rock Hill shall be divided into four "wards," to be designated as wards one, two, three and four, respectively. Ward one shall embrace that part of said city lying South of the track of the Charlotte, Columbia and Augusta Railroad and East of Main Street; Ward two shall embrace that part of said city lying South of the track of the Charlotte, Columbia and Augusta Railroad and West of Main Street; Ward three shall embrace that part of said city lying North of the track of the Charlotte, Columbia and Augusta Railroad and West of track of the Charleston, Cincinnati and Chicago Railroad; and Ward four shall embrace that part of said city lying North of the track of the Charlotte, Columbia and Augusta Railroad and East of the track of the Charleston, Cincinnati and Chicago Railroad.

Mayor and Aldermen.

Term of office.

Classification.

That the said city shall be governed by a Mayor and six Aldermen, of which Aldermen one shall be elected from each ward and two from the city at large, who shall be qualified voters, resident in said city, and who shall be elected as hereinafter prescribed. The term of office of Mayor and Aldermen shall be two years and until their successors shall have been elected and qualified, and they shall be elected on the second Thursday of January, 1893, and the Mayor at the same time in every second year thereafter. The said Aldermen elected in pursuance of this Act shall be so classified that three of them shall go out of office each year, and an election for three Aldermen shall be held in each year after said second Thursday of January, 1893. The said City Council first elected under this Act shall immediately determine, by a vote of its members, which three of its Aldermen elect shall serve for a term of one year, and which three for a term of two years, and they shall hold office accordingly. The

Notice of election.

Mayor shall give at least ten days' notice by advertisement in one or more newspapers published therein of the time and place of such election. And if for any reason the election herein provided for shall fail to be held at the time appointed therefor, it

Postponed election.

shall be the duty of said City Council to order an election to be

held as soon as practicable thereafter, and they shall give the same notice, and the election shall be held in the same way, as herein provided for regular elections. All male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months, and the said city sixty days immediately preceding their election, shall be entitled to vote for said Mayor and Aldermen, paupers and persons under disabilities for crime excepted. Each and every voter shall be required to register his name, under such regulations as may be deemed necessary by the City Council, in a book which shall be provided for that purpose by said Council, which books shall be kept open during the month of December in each year; and all citizens failing so to register shall be disqualified from voting at said election for Mayor and Aldermen.

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Electors.

Registration.

SEC. 3. The said election shall be held at some convenient public place in the said city from ten o'clock in the morning until four o'clock in the afternoon, and when the polls shall be closed the managers shall forthwith count the votes and make a statement of the whole number of votes cast in such election, together with the whole number cast for each person voted for as Mayor and Aldermen, and shall transmit a certificate of the same in a sealed envelope to the Mayor of said city then in office; and the said Mayor shall, immediately upon the receipt of the report of the managers, open and publish the same by announcing the whole number of votes cast in the election, and the number for each person voted for as Mayor and Aldermen. He shall thereupon declare the person receiving the highest number of votes for Mayor duly elected to that office, and the persons receiving the highest number of votes for Aldermen, in number equal to the number of Aldermen to be chosen, duly elected to said offices. The Mayor and Aldermen, before entering upon the duties of their office, shall respectively take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Mayor (or Alderman) of the city of Rock Hill, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace, and carry into effect, according to law, the purposes for which I have been elected. So help me God." And if any person, upon being elected Mayor or Alderman, shall refuse to act as such, he shall forfeit and pay to the City Council the sum of twenty dollars for the use of said city: *Provided*, That no person who has attained the age of sixty years shall be

Place and hours

Ascertainment of result.

Certification and declaration.

Oath.

Penalty for refusal to serve.

Exemptions.

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compelled to serve in either of said offices, nor shall any other person be compelled to serve either as Mayor or Alderman more than two years in any term of six years. The Mayor and Aldermen for the time being shall always appoint a Board of Managers consisting of three persons to conduct the election, who before they open the polls shall take an oath fairly and impartially to conduct the same.

Managers.

Vacancies.

SEC. 4. In case a vacancy occurs in the office of Mayor or any of the Aldermen by death, resignation or otherwise, an election to fill such vacancy shall be held by order of the Mayor and Aldermen, or a majority of the same, previous notice thereof of at least ten days having been given as provided in Section 2 hereof. Whenever the Mayor of said city shall from any cause be temporarily unable to attend to the duties of his office, the City Council shall have power to elect one of their number of Aldermen to serve as Mayor during such temporary disability; and during the time he is so acting, such Alderman so designated shall be vested with all the powers, duties and responsibilities attaching to the office of Mayor of the said city.

Mayor *pro tem.*

Powers and jurisdiction.

SEC. 5. That the said Mayor or the City Council, or both of them, are hereby vested with all the powers and jurisdiction of Trial Justices in this State within the limits of said city, so far as the violation of municipal ordinances are concerned, and except for the trial of civil cases. The said Mayor shall have power to try all offenders against the ordinances and by-laws of the said city immediately upon their apprehension, arrest, or as soon thereafter as possible, unless such person enter into a good and sufficient bond, to be approved by the Mayor, or in his absence by the Clerk of the City Council, to appear for trial at a time fixed, not later than five days after his arrest, in which event the trial shall be deferred until that time; and the said Mayor or City Council, or both of them, shall have the same power which Trial Justices now have or shall hereafter be vested with to compel the attendance of witnesses and require them to give evidence upon the trial before him or them of any person or persons for a violation of any of the ordinances or by-laws of the said City Council; and in the trial of all offenders against the by-laws or ordinances of the said city, the Mayor or City Council shall be governed by the same rules of procedure and evidence as are now or shall hereafter be prescribed for the government of Courts of Trial Justices in criminal cases, except that trial by jury shall not in any

Trial of offenders.

Recognizance.

Witnesses.

Rules of trial.

case be required or allowed: *Provided,* That the same right of appeal shall be allowed as in cases of appeal from Courts of Trial Justices in this State. Appeal. Whenever the Mayor shall find a party tried before him guilty of violating an ordinance or by-law of said city he shall have power to impose, in his discretion, fine or imprisonment, or both, within the limits prescribed for such violations. Punishment. From all decisions of the said Mayor any party feeling himself aggrieved shall have the right to appeal to the City Council, provided he give written notice of such appeal immediately upon such sentence being pronounced, and enter into a bond to appear and defend before the City Council at a time, to be specified in such undertaking, not more than ten days after the date of such undertaking. Appeal. In all cases trial before the Mayor or the City Council the party shall have the right to demand that he be served with a summons, in which shall be stated with accuracy the nature of the charge and the time and place of its alleged commission; but in case such summons is not demanded before trial the party charged shall be deemed to have waived such right. Summons to accused. Contents.

SEC. 6. In any case tried under the foregoing Section, upon appeal to the full Council, the trial shall proceed *de novo,* and the Mayor and three Aldermen, or, in the absence or inability of the Mayor to serve, any four Aldermen, shall be sufficient to proceed with the trial of such cause on appeal, and a decision of a majority of those present shall determine all questions before the said Council, except the questions of fact involved, in which the Mayor who tried the case shall have no vote, but shall be determined by a majority of the Aldermen trying the case: *Provided,* That in case of a tie vote of the Aldermen on the facts involved the Mayor shall have the casting vote, and the decision of the majority as thus ascertained shall determine the case and be final. Trial on appeal. Casting vote.

SEC. 7. The Mayor shall have authority to summon the Council to meet for the transaction of business pertaining to the corporation whenever in his judgment it may be necessary, and the Mayor and any three Aldermen, or any four Aldermen without the Mayor, shall constitute a quorum to do business. Quorum. The Mayor and Aldermen of said city shall be known and designated by the name of "The City Council of Rock Hill," and they and their successors shall have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of justice in the State, and purchase, hold, possess and enjoy to them in perpetuity, or for any term of years, any estate, real, personal or mixed, sell, alien or convey the same: Council meetings. Name of Council. Powers. Property rights.

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Provided, That the same shall not at any time exceed the sum of two hundred thousand dollars. And the said City Council shall have full power to make, ordain and establish all such rules, by-laws, regulations and ordinances respecting the roads, streets, market, police, health and order of said city as shall appear to them necessary and proper for the security, welfare and convenience of said city, for preserving health, life and property therein, and securing the peace and good government of the same. And the said City Council may impose fines and penalties for offenses against their by-laws, rules, regulations and ordinances, not to exceed the sum of one hundred dollars, or imprisonment not exceeding thirty days, or either, or both, for the same offense, and appropriate all revenues arising therefrom to the uses of said city: *Provided*, That all ordinances before taking effect shall be published for at least once a week for two weeks in a newspaper published in said city.

Limit.

Ordinances.

Fines and penalties.

Publication of ordinances.

Water and electric works.

Gas.

Plants.

May grant franchise.

Street railway.

Proviso.

Sentence of convicts.

Labor on streets

SEC. 8. The City Council of said city shall have full power and authority to purchase and operate, under such rules, regulations and orders as they may by ordinance adopt, water and electric works in or near said city, for the use and benefit of said city and its citizens; also, to purchase, own and operate apparatus for generating either electricity or gas for the use and benefit of said city and its citizens, or to contract for the erection of plants either for water works or lighting purposes, one or both, for the uses of said city, and to supply the citizens thereof; to grant a franchise or franchises for said purposes, as well as for the construction and operation of a street railway within said city, to any private corporation or corporations, for a term of years, as may be deemed to be to the best interest of said city, with power to make such by-laws, rules and ordinances in reference thereto as shall be deemed necessary for the regulation and proper conduct of the same, either for public or private use, by the citizens of said city: *Provided*, That no such franchise shall be granted until the question of granting thereof has first been submitted to the qualified voters of said city and approved by the majority of such persons voting at such election.

SEC. 9. The said Mayor may sentence persons convicted of the violation of any of the ordinances of the said city to fine or imprisonment, or either, or both, as may be provided; and any person sentenced to imprisonment, directly or in consequence of failure to pay the fines imposed, shall during the term of their imprisonment be required to work upon the streets of the said

city, unless they be expressly exempted therefrom in the sentence pronounced by the said Mayor.

Streets, bridges, &c.

SEC. 10. The Mayor and Aldermen shall have full and exclusive control over all streets, roads, ways and bridges in the said city, and it shall be their duty to keep them open and in good repair; and for that purpose they are invested with all the powers of County Commissioners for and within the corporate limits of said city; and they shall have power to classify and arrange the inhabitants or citizens of said city liable to street, road or public duty therein, and to enforce the performance of such duty under such penalties, rules and regulations as shall be provided for by the ordinances of said city; and they shall have power to compound with all persons liable to work the streets, ways and roads in said city upon such terms as their ordinances or by-laws may establish or their rules and regulations require, the money so received to be applied to the public use of said corporation; and all persons refusing to labor or failing to pay such commutation shall be liable to such fine, not exceeding ten dollars, or imprisonment, not exceeding thirty days, for any one year, as the said City Council may impose; and they shall have the power to enforce the payment of such fine or to impose such imprisonment as in all other cases for violation of ordinances.

Powers.

Street duty.

Compounding for labor.

Penalty for refusal.

Change of streets.

SEC. 11. The City Council of Rock Hill shall have full power and authority to open new streets in said city, and to close up, widen or otherwise alter those now in use or which may hereafter be established, whensoever in their judgment the same may be necessary for the improvement or convenience of said city. Should the land owner or owners through whose premises such street or streets may run refuse his or her or their consent to such action of the City Council in opening, closing up, widening or altering such street or streets, the said City Council shall have the right to take possession of all such land, and remove all obstructions necessary to carrying out the provisions of this Section, upon paying to the owner or owners of such land such damages as shall be fixed and determined by five freeholders of said city, two of whom shall be chosen by the said City Council, two by said land owner or owners, and the fifth by the persons so chosen, and who before assessing said damages shall be sworn to do impartial justice between the said city of Rock Hill and the land owner or owners: *Provided*, That in case the land owner or owners through whose premises any proposed street is to be run or be changed in accordance with the provisions of this Section refuse

Right of condemnation.

Compensation and how determined.

Proviso.

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to choose two freeholders as herein provided, after being notified to that effect, then the said City Council may select two freeholders for him, her or them, with the same power to act in assessing said damages as if chosen by said land owner or owners, and the decision of a majority of said freeholders shall be final.

Enclosure of lots and sidewalks.

SEC. 12. The said City Council shall have power and authority to require all persons owning a lot or lots in said city to enclose the same, and to make and keep in good repair sidewalks in front of said lot or lots whenever the same shall front or adjoin any public street of said city, if in the judgment of the Council such sidewalk shall be necessary, the width thereof and the manner of construction to be designated and regulated by the said City Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to enclose such lots, the City Council may cause the same to be made or put in repair, and require the owners to pay the price of making or repairing; and the said City Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided,* That such contract for making and repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the control and management of the said City Council.

Procedure on default.

Proviso.

Cemeteries.

Public Library.

SEC. 13. That said City Council shall have the right, either independently of or in connection with any association of the citizens of said city, to establish and maintain, or to assist in establishing and maintaining, a public library for the use and benefit of the citizens of said city, under such rules and regulations as they may by ordinance adopt.

Auction sales.

Licenses.

SEC. 14. The said City Council shall have full power to regulate sales at auction within the corporate limits of said city, and to grant licenses to auctioneers, itinerant traders and keepers of hotels and livery, sale or exchange stables, and to persons who sell fresh or uncured beef, pork, fish or other fresh meat within the corporate limits of said city, upon such terms and conditions and subject to such regulations as Council may by ordinance establish: *Provided,* That nothing herein contained shall extend to sales by Sheriffs, executors or administrators, or by any other person under the order of any Court; and the said City Council shall have the power to impose a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares or mules kept for hire or used for public purposes in said city, and upon every pool, billiard, bagatelle or other table of any kind upon which games

Excepted sales.

License tax.

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are played for gain or reward within the corporate limits of said city; and to require all persons owning or keeping a dog or dogs within said city to pay an annual license tax of not more than two dollars for each dog so owned or kept, and to enforce and regulate the payment of said license tax under such rules and regulations as the said City Council may deem proper; to charge and collect in advance a license tax upon every show or exhibition for gain or reward within the corporate limits of said city.

Shows.

Business licenses.

SEC. 15. The said City Council shall be authorized and empowered to require all persons, companies and corporations now engaged, or who may hereafter become engaged, in business, professions, or vocations of any kind whatsoever, within the limits of said city, and all transient persons, companies or corporations engaged in or about to engage in any business in said city for a less period than one year, to take out a license from the City Council, who shall be authorized to impose such charges or license tax for the conduct of the same as by ordinance of the said city may be provided; and the revenue derived from such license or tax shall be for the public use of said city, and the City Council may enforce the payment of such license or tax in such manner as they may by ordinance provide: *Provided*, That no license tax charged or required pursuant to this Section shall exceed the sum of one hundred dollars per annum.

Appropriation of receipts.

Enforcement.

License fee.

Taxation.

SEC. 16. The said City Council shall have the power to impose an annual tax not exceeding fifty cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of said city, real and personal property of churches, cemeteries, schools, colleges, associations and public libraries excepted. An ordinance declaring the rate of the annual taxation for the year shall be published at least three weeks during the month of January in each year. All persons liable to taxation in said city shall, during the month of January, make return, under oath, of their taxable property within said city in the same manner as is required by law for the return of property for taxation for State or County taxes; and the said City Council shall appoint three discreet freeholders, residents of said city, who, upon taking the oath prescribed for officers in the Constitution, shall meet in the first week in February, or as soon thereafter as practicable, and elect a Chairman, and when so organized shall form a Board of Assessors for said city, with full power to review the said returns of property made by taxpayers, and to alter the same with the view of assessing all property, both real and per-

Exemptions.

Publication of ordinance.

Returns for taxation.

Assessors.

Their powers.

A. D. 1892.

sonal, at its true value, and of equalizing the assessment of said property, and to assess all property for taxation not so returned, and their assessment so made shall be reported to the City Council and shall be taken as the true value thereof for the purposes of taxation in said city: *Provided*, That the taxpayers shall have twenty days thereafter in which to make complaint to such assessment to the City Council, and upon good cause shown the County Council may alter any assessment. Payment of taxes shall be made to the Clerk and Treasurer of said corporation, or such other person as may be authorized and required to collect and receive the same, during the month of April after the publication; and upon failure to make such return and payment as required, the parties so in default shall be subject to the penalties provided by law for failure to pay the general State and County tax, to be enforced by the order of the Mayor and Aldermen, or a majority of them, for the use of the said city, except that in such cases executions to enforce the payment of such taxes shall be issued under the seal of the corporation, and may be directed to the Chief of Police or other person appointed by the City Council to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such tax shall be levied and assessed is hereby declared and made liable for payment thereof in preference to all other debts, except debts due to the State and County, which shall be first paid; and all other taxes imposed by the Mayor and Aldermen, or a majority of them, shall be enforced and collected as in manner and form just before stated.

Report.

Complaints.

Payment of taxes.

Penalty for defaults.

Executions.

Lien for taxes.

Nuisances.

Board of Health

Fire Department.

Market.

SEC. 17. That said City Council shall have full power and authority to abate all nuisances within the corporate limits of the said city, to appoint a Board of Health, to organize, equip and control a fire department for the protection of said city, and they are authorized to adopt such ordinances, rules and regulations in carrying out the provisions of this Section as may be deemed necessary. They are also empowered to establish or authorize the establishment of a market house in said city, and to prescribe suitable rules and regulations for keeping and governing the same.

Police.

Powers, duties and liabilities.

SEC. 18. That the said City Council shall have power, and are hereby authorized, to elect one Chief of Police and as many assistants as may be necessary, to fix their salaries and prescribe their duties. They shall be sworn in and vested with all the powers now conferred by law upon Constables, and subject to all the duties and liabilities that are now or may here-

after be conferred upon Constables, in addition to the special duties devolved upon them by the City Council: *Provided*, That their jurisdiction shall not extend beyond the limits of the said corporation; and the power to elect a City Clerk and Treasurer (one person to hold both offices), whose duties shall be prescribed by them, and they shall also fix his salary and require him to enter into a bond to be approved by them, conditioned upon the faithful performance of the duties of his office. Said bond not to be for a less amount than five thousand dollars.

Jurisdiction.

Clerk and Treasurer.

Bond.

SEC. 19. The said City Council shall have the power to establish a guard house and prescribe by ordinance suitable rules and regulations for governing the same; and the said City Council may, by ordinance, or the Mayor and Aldermen, in person, any one or more of them, authorize any policeman of the said city to arrest and commit to said guard house for a term not exceeding twenty-four hours before trial any person or persons who, within the said corporate limits, may be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said city or any of them; and it shall be the duty of the policemen of said city to arrest and commit all such offenders when required by said ordinances, or any member of the City Council, so to do; and they shall have power to call to their assistance the *posse comitatus*, if need be, in making such arrest; and upon failure of such policeman to perform their duty as required, they shall severally be liable to such fines and penalties as said City Council may establish; and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules and regulations: *Provided*, That the imprisonment provided for in this Section shall not exempt the party so imprisoned from trial and sentence as hereinbefore provided.

Guard House.

Arrest and commitment.

Posse comitatus.

Penalty for failure.

Costs and expenses.

Proviso.

SEC. 20. That the said City Council shall have full power to prohibit the erection of any wooden building or buildings within one hundred yards of the business portion of said city as may be defined by ordinance; also to erect a powder magazine, and to compel every person holding more than fifty pounds of powder at one time to store the same therein, and to make regulations for rates of storage therein. They shall also have power to prohibit, absolutely, the keeping of dynamite in any quantity whatsoever within the corporate limits of said city.

Fire district.

Powder magazine.

Dynamite.

A. D. 1892.

17 Stat., 688.

SEC. 21. That so long as the Act entitled "An Act to prevent the sale of spirituous or intoxicating liquors in the town of Rock Hill, in York County," approved December 20th, 1881, remains of force, the said City Council are hereby authorized and empowered to regulate the sale of such liquors made upon prescription by the drug stores situated in said city in the following particulars: They may, by ordinance, with appropriate penalties, forbid druggists to fill any prescription for such liquors, except such as physicians are hereinafter authorized to issue, and they may likewise require the physician giving the prescription to certify in writing at the foot thereof all the facts the existence of which allows the prescription to issue; and they may, by resolution, appoint a committee of their body to inspect the files of the said drug stores, and to see to it that said prescriptions are made in due form, and that none others are filled; which committee may be required to make up from the files of each drug store, since the preceding inspection, a report of the whole quantity prescribed, and the number of prescriptions issued and filled, the names of patients, and the prescribing physicians, and the quantity prescribed by each physician.

Sale of liquor by druggists.

Committee of inspection.

Report.

Public scales.

SEC. 22. The City Council of Rock Hill is hereby authorized and empowered to establish and keep up one or more public scales for weighing cotton and other articles sold by weight in said city, and to appoint one or more public weighers, who shall be sworn by said Mayor faithfully to perform the duties of said office, and who shall be removable for misconduct or incompetency, by the said City Council; and the said City Council are hereby authorized to assess a sum not exceeding ten cents on each bale of cotton, and a proportionate sum on other articles weighed, to be paid by the seller for the use of said city. That the public scales established in pursuance of this Act shall be the standard to which all others in said city shall conform, and the said City Council may establish by ordinance such rules and regulations as may be deemed necessary to effectually carry out the provisions of this Section.

Weighers.

Charge.

To be the standard.

Salary of Mayor.

SEC. 23. That the Mayor of the said city shall receive as a salary for his services as such during his term of two years the sum of three hundred dollars per annum. He and the Aldermen shall each be exempt from street duty during their term of office; and each City Council shall, within thirty days after the expiration of the term of office of the Mayor, make out and return to their successors a full account of their receipts and

Exemption from street duty

Account to successors.

expenditures during the preceding two years; and they shall likewise publish at the end of each year after the beginning of their term of office a full statement of their receipts and expenditures during the preceding year. And at the expiration of the term of office of each Mayor it shall be the duty of the City Council and of the retiring Aldermen to pay over to their successors any moneys in their hands at the time of making such return belonging to said corporations, and likewise to deliver up promptly, at the end of each Mayor's term, all books, records, property and papers incident to their said offices to their successors, and on failure so to do they shall be liable to be fined in a sum of five hundred dollars, to be collected by said City Council by suit in any Court of competent jurisdiction.

Annual statement.

Delivery to successors.

Penalty for failure.

SEC. 24. That all fines which shall hereafter be collected by conviction in the Court of Sessions for York County for retailing spirituous liquors without license in the limits of said city shall be paid one-half to the informer and the other half to the city for the use of the corporation.

Fines for selling liquor.

SEC. 25. This Act shall go into effect immediately upon its passage, and all ordinances and by-laws heretofore passed, and all resolutions, rules and regulations heretofore adopted, by the Town Council of Rock Hill under existing laws be, and they are hereby declared to be, of full force and effect in the said city of Rock Hill; and until the election of Mayor and Aldermen herein provided for, the Town Council of Rock Hill be, and they are hereby declared to be, the City Council of Rock Hill, and the Intendant vested with all the duties and powers of Mayor of the said city, and the said Wardens are vested with all the powers and duties of Aldermen of the said city. And the said city is hereby declared to be liable for all contracts and obligations of the town of Rock Hill.

When to take effect.

Ordinances, &c., confirmed.

Present Council.

Existing contracts.

SEC. 26. All Acts or parts of Acts inconsistent with this Act be, and they are hereby, repealed; and this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of thirty years, and until the end of the session of the Legislature next ensuing.

Repealing clause.

Public Act.

Duration.

Approved December 24th, A. D. 1892.

A. D. 1892.
No. 280.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF THE TOWN OF YORKVILLE, IN THIS STATE, TO PROCEED UNDER SECTION TWELVE OF THE CHARTER OF THE SAID TOWN TO EFFECT A LOAN AND ISSUE CORPORATE BONDS FOR THE PURPOSE OF PURCHASING A STEAM FIRE ENGINE, HOSE, HOSE REELS, AND OTHER APPARATUS INCIDENT TO FIRE ENGINES, AND FOR CONSTRUCTING WATER TANKS IN THE STREETS OF THE SAID TOWN, AND TO PROCEED UNDER SAID SECTION TO MAKE PROVISION FOR THE PAYMENT OF THE LOAN SO EFFECTED, PRINCIPAL AND INTEREST.

Loan authorized. Issue of bonds. Purposes. Provision for payment.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Yorkville, in this State, be, and they are hereby, authorized to proceed under Section twelve of the charter of the said town to effect a loan and issue corporate bonds for the purpose (hereby declared to be a corporate purpose, within the meaning of those words as used in the said Section of the said charter) of purchasing for the said town a steam fire engine, hose, hose reels, and the other apparatus incident to fire engines, and for constructing water tanks in the streets of the said town, and to proceed under said Section to make provision for the payment of the loan so effected, principal and interest.

Water works. Bonds. Prior election.

SEC. 2. That said Town Council shall have authority to build a permanent system of water works for said town at a cost not exceeding sixteen thousand dollars, and may issue seven per cent. interest-bearing coupon bonds to mature twenty-five years from date to meet the cost of the same: *Provided*, That before any bonds are issued under the provisions of this Section, the said Town Council shall submit the question of the issue of said bonds to the approval of the qualified electors of said town, at an election to be by said Council appointed and held for that purpose. And if a majority of the persons so voting approve of said issue of bonds the said Town Council may proceed to issue the same and construct the said works: *Provided*, That before any election shall be held under the provisions of this Act, a majority of the freehold voters of the said town shall petition the said Town Council that the said election be ordered.

Petition by freeholders.

When to take effect.

SEC. 3. That this Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1892.

NOTE.—For Act relating to running streams in York County, see Act No. 58, ante p. 111

[The following Acts were approved and filed at too late a day to be inserted in their proper place in this volume.—EDITOR.]

A. D. 1892.

No. 281.

AN ACT TO EMPOWER THE BOARD OF PHOSPHATE COMMISSIONERS TO FIX THE AMOUNT OF ROYALTY TO BE PAID TO THE STATE BY ANY PERSON, COMPANY, CORPORATION MINING PHOSPHATE ROCK AND PHOSPHATIC DEPOSIT IN THE NAVIGABLE STREAMS AND MARSHES OF THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Phosphate Commissioners of the State be, and they are hereby, authorized and empowered to fix the royalty to be paid the State by parties mining in the navigable waters and the marshes of this State at such amounts, not to exceed two dollars per ton, and for such periods, as they, upon full investigation and examination, may deem advisable: *Provided*, That six months' notice be given of any raising of such royalty above the sum of one dollar.

[Royalty to be fixed.

Limit.

Notice of increase.

Approved January 7th, A. D. 1893.

No. 282.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the town of Beaufort, with the amendments thereto, are hereby renewed and extended for the term of twenty years.

Charter renewed. 17 Stat., 52.

SEC. 2. The municipal authorities of said town of Beaufort are hereby authorized and empowered to levy a tax upon all real and personal property in said town to an amount not exceeding one (1) per cent. of the assessed value of said property.

Power to levy taxes.

SEC. 3. All Acts or parts of Acts in conflict with or repugnant to this Act are hereby repealed.

Repealing clause.

Approved January 11th, A. D. 1893.

APPENDIX.

LIST OF CHARTERS

GRANTED BY THE SECRETARY OF STATE,

Under the provisions of the Act of December 23d, 1886, (19 Stat., 540,) entitled "An Act to provide for the formation of corporations under general laws," and Acts amending the same, and reported by the Secretary of State to the General Assembly in his Report of November 1892, published under authority of Section 3 of Act of 1892, 21 Stat., 23.

ABBEVILLE COUNTY HEDGE FENCE COMPANY.—Incorporated to build hedge and wire fences for profit and gain. Location, Abbeville, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 5th July, 1892.

AIKEN COUNTY HEDGE FENCE COMPANY.—Incorporated to do general fence business, to sell, plant, grow, trim, plash, contract for and build wire and hedge fences. Location, Aiken, S. C. Amount of capital stock, sixteen thousand dollars. Par value, one hundred dollars each. Date of charter, 11th March, 1892.

AIKEN WAREHOUSE, STORE AND MANUFACTURING COMPANY.—Incorporated to store and sell all kinds of goods and manufacture fertilizers. Location, Aiken, S. C. Amount of capital stock, five thousand dollars. Par value, one hundred dollars each. Date of charter, 10th May, 1892.

AIKEN WATER COMPANY.—Incorporated to supply water for public use to the city of Aiken, S. C. Location, Aiken, S. C. Amount of capital stock, sixty thousand dollars. Par value, one hundred dollars each. Date of charter, 20th September, 1892.

THE ALLIANCE PUBLISHING COMPANY.—Incorporated to do a general publishing business. Location, Columbia, S. C. Amount of capital stock, ten thousand dollars. Par value, ten dollars each. Date of charter, 23d December, 1891.

ANDERSON COUNTY HEDGE FENCE COMPANY.—Incorporated to build hedge and wire fences. Location, Anderson, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 26th October, 1892.

THE ANDERSON SAVINGS LOAN AND INVESTMENT COMPANY.—Incorporated to do a general building and loan business. Location, Anderson, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 7th June, 1892.

THE BANK OF COLUMBIA, S. C.—Incorporated to do a general banking business. Location, Columbia, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 21st May, 1892.

BARNWELL COUNTY HEDGE FENCE COMPANY.—Incorporated to sell, plant, grow and maintain hedge and wire fences. Location, Barnwell, S. C. Amount of capital stock, sixteen thousand dollars. Par value, one hundred dollars each. Date of charter, 27th April, 1892.

THE BARNWELL MANUFACTURING COMPANY.—Incorporated to manufacture, buy and sell doors, sash, blinds, carriages, &c. Location, Barnwell, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 29th February, 1892.

THE BLACKSBURG MINING AND MILLING COMPANY.—Incorporated to do a mining and manufacturing business. Location, Blacksburg, S. C. Amount of capital stock, thirty thousand dollars. Par value, one hundred dollars each. Date of charter, 9th January, 1892.

THE BLACKSBURG PRINTING AND PUBLISHING COMPANY.—Incorporated to do a general newspaper and job printing business. Location, Blacksburg, S. C. Amount of capital stock, six thousand dollars, Par value, twenty-five dollars each. Date of charter, 25th April, 1892.

THE CAPITAL MANUFACTURING COMPANY.—Incorporated to buy, sell and manufacture cotton. Location, Columbia, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 7th May, 1892.

THE CARDARELLI ELECTRIC LIGHT CRANE COMPANY.—Incorporated to manufacture and sell electric light cranes. Location, Sumter, S. C. Amount of capital stock, six thousand dollars. Par value, one hundred dollars each. Date of charter, 7th May, 1892.

CAROLINA SULPHURIC ACID MANUFACTURING COMPANY.—Incorporated to mine, ship and manufacture pyrites and sulphuric acid. Location, Blacksburg, S. C. Amount of capital stock, one million dollars. Par value, one hundred dollars each. Date of charter, 7th March, 1892.

CATAWBA MILLS.—Incorporated to manufacture and sell cotton, &c. Location, Fort Mill, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 12th July, 1892.

THE CHAPIN CLUB.—Incorporated for social and literary purposes. Location, Chapin, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 16th July, 1892.

CHARLESTON CONSTRUCTION COMPANY.—Incorporated to manufacture, purchase, lease, sell and deal in all kinds of machinery. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, twenty-five dollars each. Date of charter, 10th March, 1892.

THE CHARLESTON MATTRESS COMPANY.—Incorporated to manufacture, make, repair and sell mattresses. Location, Charleston, S. C. Amount of capital stock, five hundred dollars. Par value, ten dollars each. Date of charter, 25th February, 1892.

CHARLESTON TOWAGE AND TRANSPORTATION COMPANY.—Incorporated to transport merchandise, passengers and salvage. Location, Charleston, S. C. Amount of capital stock, forty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 24th October, 1892.

THE CHRISTOPHER ROTARY CIRCULAR STEAM CYLINDER COMPANY.—Incorporated to sell patent cylinders, caveats and patent rights. Location, Spartanburg, S. C. Amount of capital stock, five hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 5th October, 1892.

CLARENDON COUNTY HEDGE FENCE COMPANY.—Incorporated to build hedge and wire fences for profit and gain. Location, Manning, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars each. Date of charter, 1st July, 1892.

THE COASTWISE SHIPPING AND COMMISSION COMPANY.—Incorporated to do a general ship brokerage and commission business. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, one hundred dollars each. Date of charter, 3d March, 1892.

THE COLUMBIA BASE BALL ASSOCIATION.—Incorporated to employ base ball players and give exhibitions. Location, Columbia, S. C. Amount of capital stock, one thousand dollars. Par value, ten dollars each. Date of charter, 29th April, 1892.

COLUMBIA CANDY COMPANY.—Incorporated to make and manufacture candy. Location, Columbia, S. C. Amount of capital stock, fifteen thousand dollars. Par value, one hundred dollars each. Date of charter, 5th May, 1892.

THE COMMERCIAL REAL ESTATE LOAN AND IMPROVEMENT COMPANY.—Incorporated to do a general real estate business and deal in bonds, &c. Location, Charleston, S. C. Amount of capital stock, thirty thousand dollars. Par value, one hundred dollars each. Date of charter, 4th March, 1892.

THE COTTON SEED CRUSHER COMPANY OF SOUTH CAROLINA.—Incorporated to purchase, make, use and vend the U. S. Taylor Cotton Seed Crusher. Location, Sumter, S. C. Amount of capital stock, five thousand dollars. Par value, one hundred dollars each. Date of charter, 3d August, 1892.

THE CROTWELL CROSS ROADS CLUB.—Incorporated for social and literary purposes. Location, Crotwell's Cross Roads, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 18th October, 1892.

THE CRYSTAL ICE COMPANY, OF BLACKVILLE, S. C.—Incorporated to manufacture and sell ice and conduct a steam laundry and water works. Location, Blackville, S. C. Amount of capital stock, ten thousand dollars. Par value, twenty-five dollars each. Date of charter, 5th March, 1892.

DARLINGTON COUNTY HEDGE FENCE COMPANY.—Incorporated to build hedge and wire fences for profit and gain. Location, Darlington, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 12th July, 1892.

THE DARLINGTON DRIVING ASSOCIATION.—Incorporated to keep, own and maintain a race course. Location, Darlington, S. C. Amount of capital stock, five thousand dollars. Par value, fifty dollars each. Date of charter, 17th December, 1891.

THE DARLINGTON LIGHT AND WATER COMPANY.—Incorporated to furnish light and water for town of Darlington. Location, Darlington, S. C. Amount of capital stock, ten thousand dollars. Par value, fifty dollars each. Date of charter, 29th October, 1892.

THE DARLINGTON TOBACCO COMPANY.—Incorporated to manufacture and sell tobacco. Location, Darlington, S. C. Amount of capital stock, ten thousand dollars. Par value, twenty-five dollars each. Date of charter, 13th September, 1892.

DURST AND COMPANY CO-OPERATIVE STORE.—Incorporated to do a general merchandise business. Location, Greenwood, S. C. Amount of capital stock, sixty thousand dollars. Par value, five dollars each. Date of charter, 19th January, 1892.

THE EDGEFIELD COUNTY HEDGE FENCE COMPANY.—Incorporated to sell, plant, grow, plash, build and maintain hedge and wire fences. Location, Edgefield, S. C. Amount of capital stock, sixteen thousand dollars. Par value, twenty-five dollars each. Date of charter, 26th March, 1892.

THE EDGEFIELD HOTEL COMPANY.—Incorporated to do a general hotel business. Location, Edgefield, S. C. Amount of capital stock, seventeen thousand dollars. Par value, one hundred dollars each. Date of charter, 6th September, 1892.

E. J. PARKER COMPANY.—Incorporated to do a general merchandise business. Location, Lamar, S. C. Amount of capital stock, one thousand dollars. Par value, ten dollars each. Date of charter, 7th November, 1891.

FARMERS' AND MECHANICS' BANK.—Incorporated to do a general banking business. Location, Columbia, S. C. Amount of capital stock, fifty thousand dollars. Par value, five dollars each. Date of charter, 12th April, 1892.

FARMERS' AND MECHANICS' MERCANTILE AND MANUFACTURING COMPANY.—Incorporated to do a general mercantile business. Location, Columbia, S. C. Amount of capital stock, fifty thousand dollars. Par value, five dollars each. Date of charter, 12th April, 1892.

THE FARMERS' AND MERCHANTS' BANK, OF CAMDEN, S. C.—Incorporated to do a general banking business. Location, Camden, S. C. Amount of capital stock, thirty thousand dollars. Par value, fifty dollars each. Date of charter, 29th December, 1891.

THE FLORENCE IRON WORKS.—Incorporated to operate general machine works and foundry. Location, Florence, S. C. Amount of capital stock, ten thousand dollars. Par value, twenty-five dollars each. Date of charter, 29th April, 1892.

FORT MOTTE LUMBER AND SHINGLE COMPANY.—Incorporated to do a general lumber business and buy timber lands. Location, Fort Motte, S. C. Amount of capital stock, thirty thousand dollars. Par value, one hundred dollars each. Date of charter, 7th June, 1892.

GAFFNEY MANUFACTURING COMPANY.—Incorporated to manufacture cotton goods and do a milling business. Location, Gaffney, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 20th September, 1892.

GAFFNEY WAGON AND FURNITURE COMPANY.—Incorporated to manufacture and sell wagons, buggies, &c. Location, Gaffney, S. C. Amount of capital stock, five thousand dollars. Par value, fifty dollars each. Date of charter, 11th August, 1892.

GARDNER AND LACY LUMBER COMPANY.—Incorporated to manufacture, transport and sell lumber. Location, Georgetown, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 6th April, 1892.

GOLDEN GATE MINING COMPANY.—Incorporated to mine gold and silver and operate tramways, railways, &c. Location, Spartanburg, S. C. Amount of capital stock, one hundred thousand dollars. Par value, ten dollars each. Date of charter, 27th February, 1892.

THE GREENVILLE MANUFACTURING COMPANY.—Incorporated to manufacture wood into all kinds of building material. Location, Greenville, S. C. Amount of capital stock, fifteen thousand dollars. Par value, one hundred dollars each. Date of charter, 4th April, 1892.

THE HILL AND MORGAN COMPANY.—Incorporated to do a general mercantile business. Location, Spartanburg, S. C. Amount of capital stock, fifteen thousand dollars. Par value, fifty dollars each. Date of charter, 19th August, 1892.

THE INVESTMENT BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Charleston, S. C. Amount of capital stock, one hundred and fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 26th May, 1892.

THE LUNA COTTON MILLS.—Incorporated to spin cotton and weave cloth, etc. Location, Fort Mill, S. C. Amount of capital stock, thirty-five thousand dollars. Par value, one hundred dollars each. Date of charter, 25th July, 1892.

THE MARION PUBLISHING COMPANY.—Incorporated to print and publish one or more newspapers and do publishing business. Location, Marion, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 2d March, 1892.

MASON BANKING COMPANY.—Incorporated to do a general banking business. Location, Westminster, S. C. Amount of capital stock, fifty thousand dollars. Par value, fifty dollars each. Date of charter, 15th June, 1892.

THE MERCANTILE FIRE INSURANCE COMPANY, OF CHARLESTON, SOUTH CAROLINA.—Incorporated to do a fire insurance business. Location, Charleston, S. C. Amount of capital stock, fifty thousand dollars. Par value, fifty dollars each. Date of charter, 23d February, 1892.

THE MUTUAL HOME BUILDING AND LOAN ASSOCIATION.—Incorporated to do general building and loan business. Location, Rock Hill, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 29th April, 1892.

ORANGEBURG BRICK AND TILE COMPANY.—Incorporated to deal in real estate and building material. Location, Orangeburg, S. C. Amount of capital stock, five thousand dollars. Par value, fifty dollars each. Date of charter, 21st May, 1892.

THE PALMETTO TRANSPORTATION COMPANY.—Incorporated to transport freight and passengers. Location, Charleston, S. C. Amount of capital stock, five thousand dollars. Par value, twenty-five dollars each. Date of charter, 21st April, 1892.

THE PEAKE CLUB.—Incorporated for social and literary purposes. Location, Peake, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 3d February, 1892.

THE PENDLETON CLUB.—Incorporated for literary and social purposes. Location, Pendleton, S. C. Amount of capital stock, two thousand dollars. Par value, five dollars each. Date of charter, 12th May, 1892.

THE PEOPLE'S BUILDING AND LOAN ASSOCIATION, OF GEORGETOWN, S. C.—Incorporated to do a general building and loan business. Location, Georgetown, S. C. Amount of capital stock, fifty thousand dollars. Par value, one dollar each. Date of charter, 2d May, 1892.

PEOPLE'S BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Greenwood, S. C. Amount of capital stock, two hundred thousand dollars. Par value, two hundred dollars each. Date of charter, 12th September, 1892.

THE PINE FOREST INN COMPANY.—Incorporated to do a general hotel business. Location, Summerville, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 16th December, 1891.

THE SOCIAL AND LITERARY CLUB, OF FAIRFAX, S. C.—Incorporated for social and literary purposes. Location, Fairfax, S. C. Amount of capital stock, five hundred dollars. Par value, two dollars and fifty cents each. Date of charter, 3d October, 1892.

THE SOUTH CAROLINA BANKING ASSOCIATION.—Incorporated to do a general banking business. Location, Florence, S. C. Amount of capital stock, twelve thousand five hundred dollars. Par value, twenty-five dollars each. Date of charter, 6th October, 1892.

SOUTH CAROLINA COTTON OIL COMPANY.—Incorporated to manufacture and refine cotton seed oil, &c. Location, Columbia, S. C. Amount of capital stock, two hundred and fifty thousand dollars. Par value, one hundred dollars each. Date of charter, 13th May, 1892.

SOUTH CAROLINA HEDGE AND WIRE FENCE COMPANY.—Incorporated to sell, plant, grow and build hedge and wire fences. Location, Hamburg, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 4th February, 1892.

THE SOUTH CAROLINA LAND AND LUMBER COMPANY.—Incorporated to buy and sell lands and manufacture lumber, plant and merchandise. Location, Charleston, S. C. Amount of capital stock, three hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 6th July, 1892.

SOUTHERN STAMP AND PUBLISHING COMPANY.—Incorporated to buy and sell stamps of all nationalities. Location, Charleston. Amount of capital stock, one thousand dollars. Par value, twenty-five dollars each. Date of charter, 6th October, 1892.

THE SPRATT BUILDING AND LOAN ASSOCIATION.—Incorporated to do a general building and loan business. Location, Chester, S. C. Amount of capital stock, eighty thousand dollars. Par value, one hundred dollars each. Date of charter, 22d February, 1892.

THE ST. HELENA COMPANY.—Incorporated to buy, improve and sell real estate. Location, St. Helena Island, S. C. Amount of capital stock, sixty thousand dollars. Par value, one hundred dollars. Date of charter, 29th January, 1892.

ST. MATTHEW'S EDUCATIONAL AND IMPROVEMENT ASSOCIATION.—Incorporated for the purpose of erecting buildings and managing educational institutes. Location, St. Matthew's, S. C. Amount of capital stock, five thousand dollars. Par value, two hundred dollars each. Date of charter, 25th July, 1892.

THE STONO PHOSPHATE WORKS.—Incorporated to do a general fertilizer business. Location, near the city of Charleston, S. C. Amount of capital stock, two hundred thousand dollars. Par value, one hundred dollars each. Date of charter, 10th December, 1891.

SUMTER HEDGE FENCE COMPANY.—Incorporated to build and maintain hedge and wire fences. Location, Sumter, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 30th May, 1892.

THE T. G. LAMAR KAOLIN COMPANY.—Incorporated to mine and manufacture kaolin clay, &c. Location, near Langley, S. C. Amount of capital stock, fifty thousand dollars. Par value, one hundred dollars. Date of charter, 19th January, 1892.

THOMSON GOLD MINING COMPANY.—Incorporated to dig and mine gold, silver, copper and other useful metals. Location, Spartanburg, S. C. Amount of capital stock, one hundred thousand dollars. Par value, one dollar each. Date of charter, 4th March, 1892.

THE TIMES PUBLISHING COMPANY.—Incorporated to do a general printing and publishing business. Location, Aiken, S. C. Amount of capital stock, two thousand dollars. Par value, twenty-five dollars each. Date of charter, 20th September, 1892.

THE WALTERBORO LOAN AND SAVINGS BANK.—Incorporated to do a general banking business. Location, Walterboro, S. C. Amount of capital stock, twenty-five thousand dollars. Par value, fifty dollars each. Date of charter, 11th November, 1891.

THE WHITE CROSS TOWAGE COMPANY.—Incorporated to do a towage and lighterage business. Location, near Jacksonboro, S. C. Amount of capital stock, twenty thousand dollars. Par value, one hundred dollars each. Date of charter, 5th December, 1891.

THE WOODRUFF TELEPHONE COMPANY.—Incorporated to do a general telephone business. Location, Woodruff, S. C. Amount of capital stock, five hundred dollars. Par value, ten dollars each. Date of charter, 21st March, 1892.

W. P. HALL AND COMPANY.—Incorporated to deal in general merchandise, naval stores, lumber and phosphates. Location, Charleston, S. C. Amount of capital stock, ten thousand dollars. Par value, one hundred dollars. Date of charter, 21st March, 1892.

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